

By Mr. SANFORD: A bill (H. R. 10061) granting a pension to Mary L. Drake; to the Committee on Invalid Pensions.

By Mr. SNYDER: A bill (H. R. 10062) granting a pension to Ferdinand Buhler; to the Committee on Invalid Pensions.

By Mr. SMITH of Idaho: A bill (H. R. 10063) granting a pension to William G. Rowland; to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of A. Kalajan, of Union Hill, N. J., relating to the barbarian Turks in Armenia; to the Committee on Foreign Affairs.

By Mr. BARBOUR: Petition of the Stanislaus County Farm Bureau, representing 1,021 farmers of Stanislaus County, Calif., favoring a tariff on foreign-grown beans; to the Committee on Ways and Means.

By Mr. BRIGGS: Petition of Local Camp No. 321, United Confederate Veterans, of Polk County, Tex., favoring the repayment of the taxes collected on cotton in the South during the Civil War; to the Committee on Claims.

By Mr. CASEY: Petition of Paul Rother and 25 other citizens of Wilkes-Barre, Pa., protesting against the Smith-Towner educational bill; to the Committee on Education.

By Mr. DALLINGER: Petition of board of aldermen of the city of Medford, favoring restoration of daylight-saving law; to the Committee on the Judiciary.

By Mr. DEWALT: Petition of sundry citizens of Pennsylvania, protesting against the passage of the Smith-Towner educational bill; to the Committee on Education.

By Mr. ELSTON: Petition of Piedmont Parlor, No. 120, Native Sons of the Golden West, Oakland, Calif., urging rigorous measures to restrict oriental immigration and settlement; to the Committee on Immigration and Naturalization.

By Mr. HAMILTON: Petition of J. O. Wells and others, asking that the Coast Guard and Life-Saving Service be retained by and kept under the power and control of and made a part of the United States Navy Department; to the Committee on Naval Affairs.

By Mr. KAHN: Petition of San Francisco Parlor, No. 49, Native Sons of the Golden West, of San Francisco, Calif., in favor of the continued exclusion of Asiatic immigrants and recommending additional legislation to render our present exclusion laws more effective; to the Committee on the Judiciary.

Also, petition of Keith Parlor, No. 137, Native Daughters of the Golden West, of San Francisco, Calif., in favor of the continued exclusion of Asiatic immigrants and recommending additional legislation to render our present exclusion laws more effective; to the Committee on the Judiciary.

Also, petition of Lompoc Valley Chamber of Commerce and Lompoc Valley Bank, both of Lompoc, Calif., urging tariff on foreign-grown beans; to the Committee on Ways and Means.

By Mr. O'CONNELL: Petition of sundry citizens of New York, favoring the immediate passage of a bill giving six months' pay to soldiers and sailors who participated in the great world conflict; to the Committee on Military Affairs.

Also, petition of Private Soldiers and Sailors' Legion, asking the Judiciary Committee for the immediate favorable report of the bill incorporating the legion organized by the privates; to the Committee on the Judiciary.

By Mr. SUMMERS of Washington: Petition of the Woman's Christian Temperance Union of Walla Walla, Wash., various churches, Sunday schools, and others of the same city, urging Congress to pass House bill 8063, a bill to punish violation of the eighteenth amendment to the Constitution by American citizens in foreign countries; to the Committee on the Judiciary.

SENATE.

TUESDAY, October 21, 1919.

The Senate met at 11 o'clock a. m.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, in this sacred moment, a moment that has the sanction of the custom of this Nation and the indorsement of the habit of a praying people, we pause to make mention of Thy name and worship Thee. Thou art the God of all the earth. Thou art our God. We commit our way into Thy hands and pray Thee to guide us to the fulfillment of Thine own purpose in us. For Christ's sake. Amen.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. Smoot and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Gerry	McKellar	Sherman
Bankhead	Hale	Nelson	Shields
Brandegee	Harding	New	Smith, Ga.
Capper	Harris	Newberry	Smith, S. C.
Chamberlain	Harrison	Norris	Smoot
Colt	Henderson	Nugent	Spencer
Cummins	Jones, Wash.	Overman	Sterling
Curtis	Kellogg	Page	Thomas
Dial	Kenyon	Penrose	Townsend
Dillingham	King	Phelan	Trammell
Edge	La Follette	Phipps	Walsh, Mass.
Elkins	Lenroot	Poinexter	Walsh, Mont.
Fletcher	Lodge	Pomerene	Warren
France	McCormick	Robinson	Watson
Frelinghuysen	McCumber	Sheppard	

Mr. FRANCE. I desire to announce the absence on official business of the Senator from New Hampshire [Mr. KEYES], the Senator from New York [Mr. WADSWORTH], and the Senator from Oregon [Mr. McNARY].

Mr. KING. The senior Senator from Louisiana [Mr. RANSDELL] and the junior Senator from Louisiana [Mr. GAY] are absent in attendance at a meeting of the Committee on Agriculture and Forestry. The Senator from Arizona [Mr. ASHBURST], the Senator from Wyoming [Mr. KENDRICK], the Senator from Arkansas [Mr. KIRBY], and the Senator from North Carolina [Mr. SIMMONS] are detained on official business. The Senator from Delaware [Mr. WOLCOTT], the senior Senator from Kentucky [Mr. BECKHAM], the Senator from Missouri [Mr. REED], and the junior Senator from Kentucky [Mr. STANLEY] are detained from the Senate on public business. The Senator from South Dakota [Mr. JOHNSON] is detained from the Senate on account of illness in his family.

The VICE PRESIDENT. Fifty-seven Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the Speaker of the House had signed the enrolled bill (H. R. 8624) to amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, and to regulate rents in the District of Columbia, and it was thereupon signed by the Vice President.

PETITIONS AND MEMORIALS.

Mr. NORRIS. Mr. President, I have here a resolution passed by the House of Representatives of the Nebraska Legislature, now in session, which I send to the desk and ask that it may be read.

The VICE PRESIDENT. The Secretary will read the resolution.

The Secretary read as follows:

Resolution as adopted by the House of Representatives of Nebraska October 17, 1919.

Resolved, That our Senators, Hon. G. M. HITCHCOCK and Hon. G. W. NORRIS, are hereby requested to do all in their power to defeat the league of nations as now pending before the United States Senate.

WILL F. HITCHCOCK,
Chief Clerk.

Mr. SHERMAN. I present a resolution of a local labor union at Duquoin, Ill., which I ask may be printed at length in the Record but not read. It is a very short resolution.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

"Whereas our Government, the United States of America, is at war with Germany; and

"Whereas we, the peoples hereof, are fighting for the freedom of the whole world from autocratic tyranny; and

"Whereas the honor and virtue of our mothers and sisters are placed in peril by the barbaric methods of our enemies; Therefore be it

"Resolved by Local Union No. 510 of the United Brotherhood of Carpenters and Joiners of America, That we, the members thereof, tender our loyal support, both at home and abroad, toward the successful conclusion of the war; and be it further

"Resolved, That we most emphatically denounce the propaganda of the 'I. W. W.' (Industrial Workers of the World) as

being unpatriotic, un-American, and deserving of no place in the free institutions of our country.

"Signed with our official seal this 19th day of November, 1917.

"S. L. VOIGHT, *President*.

"W. R. WRIGHT, *Secretary*."

[SEAL]

Mr. WALSH of Massachusetts. I have a communication in the nature of a petition from citizens of Wayland, in the Commonwealth of Massachusetts, urging the ratification of the league of nations covenant. The communication is brief, and I ask that it be printed in the Record, together with the signatures.

There being no objection, the communication was ordered to be printed in the Record, as follows:

To the honorable the Senate of the United States:

We, the undersigned men and women, citizens of Wayland, in the Commonwealth of Massachusetts, respectfully urge upon your honorable body the supreme importance for the United States of America and for the whole world of prompt ratification of the covenant of the league of nations.

It may not be perfect any more than the Constitution of the United States was perfect, but we believe that it will be the beginning of a better era for the world, as the Constitution was for the country. Like that, it can be amended, if necessary; but if rejected now we fear so good an opportunity to preserve peace in the world may not return in our lifetime.

Amy F. Haskins, David G. Haskins, jr., Jacob Reeves, Wm. H. Branigan, Eunice W. Branigan, Samuel Russell, Mary A. Heard, Israel A. Lupien, J. Charles Vincent, Henry J. W. Drew, Nathaniel R. Gerald, Warren L. Bishop, Lester R. Gerald, John B. Wight, Geo. Edward Dwight, Shelley Dwight, Amos I. Hadley, James Bolton, Mary Bolton, James Joseph Bolton, Sadie Bolton.

Mr. NEWBERRY presented a petition of sundry citizens of Alanson, Mich., praying for the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

Mr. PHIPPS presented a memorial of the Civic and Commercial Association of Denver, Colo., remonstrating against the enactment of legislation which confers upon any governmental department or bureau the power to regulate and restrain legitimate business, which was referred to the Committee on Agriculture and Forestry.

Mr. LODGE presented a petition of the Near East Relief, in convention at New York City, N. Y., praying for the extension of aid to American relief workers, American property, and to the stricken people of Armenia, which was referred to the Committee on Foreign Relations.

He also presented a petition of the Board of Alderman of Medford, Mass., praying for the restoration of the so-called daylight-saving law to the extent of making it effective and permanent in that portion of the country in the eastern time zone, which was referred to the Committee on Interstate Commerce.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 3263) to authorize the construction of flood control and improvement works in Minnesota River and Big Stone Lake, between the States of Minnesota and South Dakota; to the Committee on Commerce.

By Mr. SMOOT:

A bill (S. 3264) granting an increase of pension to Einer Bjarnson (with accompanying papers); and

A bill (S. 3265) granting an increase of pension to Fred Myers (with accompanying papers); to the Committee on Pensions.

By Mr. PHELAN:

A bill (S. 3266) granting a pension to Allie Bailey; to the Committee on Pensions.

By Mr. NEWBERRY:

A bill (S. 3267) for the relief of the Cornwell Co.; to the Committee on Claims.

By Mr. HARDING:

A bill (S. 3268) for the appointment of Commander Charles W. Moots to the permanent Medical Corps of the Navy; to the Committee on Naval Affairs.

By Mr. UNDERWOOD:

A bill (S. 3269) granting an increase of pension to Mary A. Crow; to the Committee on Pensions.

By Mr. JONES of Washington:

A bill (S. 3270) authorizing the superintendent of the Coast and Geodetic Survey, subject to the approval of the Secretary of Commerce, to consider, ascertain, adjust, and determine claims for damages occasioned by acts for which said survey is responsible in certain cases; to the Committee on Commerce.

By Mr. KENDRICK:

A bill (S. 3271) granting a pension to Annie F. Rountree (with accompanying papers); to the Committee on Pensions.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. POINDEXTER submitted an amendment proposing to appropriate \$496,000 for the purchase of a site and the erection of an archives building in the city of Washington, D. C., intended to be proposed by him to the first deficiency appropriation bill, which was ordered to lie on the table and be printed.

WITHDRAWAL OF PAPERS—ELIZABETH H. MILLS.

On motion of Mr. PHELAN, it was

Ordered, That the papers in the case of Senate bill No. 3420, Sixty-fifth Congress, second session, granting a pension to Elizabeth H. Mills, be withdrawn from the files of the Senate, no adverse report having been made thereon.

CARE OF ARMY TRUCKS.

Mr. NORRIS. Mr. President, I have a letter in the way of a memorial written by the lieutenant governor of Nebraska, who at the time he wrote the letter was acting governor on account of the absence from the State of the governor, in relation to the automobile trucks that have been purchased by the Government and are permitted to stand out in the weather and be destroyed. I think we have all learned of thousands of such instances scattered around over the country, but I had no idea that there were some of them in my State. I send to the Secretary's desk a newspaper clipping from the Nebraska State Journal of October 18, and ask that the Secretary may read that part of the letter written to Representative REAVIS of the State of Nebraska that is not marked out.

The VICE PRESIDENT. Is there any objection? The Chair hears none and the Secretary will read.

The Secretary read as follows:

TRUCKS RUSTING IN RAIN—ACTING GOVERNOR POINTS OUT WHAT HE SAYS IS GOVERNMENT NEGLECT OF PROPERTY.

"DEAR MR. REAVIS: There exists a condition here which I wish to take up with you regarding some automobile trucks in charge of the Government, which are standing unprotected from the elements out on the fair grounds annex north of the city. These trucks are such as can be used by the State in our road-making program, but I am informed by the secretary of the department of public works that he has several times applied to the department at Washington for permission to use these trucks in road work, but can receive no answer to the communications sent.

"I went to the fair grounds this morning and investigated the condition of the trucks, after a man had inquired if it would be possible to purchase one of them for use on his farm. I found the trucks, 12 in number, standing out in a field with absolutely no protection over them. Not even the tops had been raised to protect the cushions on the seats and the engine and other parts, in most instances, rusting.

"I would like to ask if there is any way in which the trucks now standing open to the weather can be secured by the State or be purchased by private individuals, or if there is any system in which letters to the department at Washington having these trucks in charge can receive consideration. There are several mighty good stenographers in Washington from Nebraska whom I am sure would be glad to donate a little overtime service in order that they could see the letters from home receive some consideration, if the department is short of help.

"I would like to ask in conclusion if you know who has the authority to have these trucks looked after, or who can give permission for their use by the State or purchase by private individuals?

"Very sincerely, yours,

"P. A. BARROWS, *Acting Governor*."

Mr. THOMAS. Mr. President, the reply to the query of this correspondent is very simple. The distribution of trucks has been prohibited by an act of Congress. The last deficiency bill, I think, contained a rider to that effect. We, and nobody else, therefore, are to blame.

Mr. NORRIS. May I ask the Senator, Has there been any act of Congress to prohibit the department from taking care of automobiles; from taking them out of the weather and putting up their tops?

Mr. THOMAS. Yes.

Mr. NORRIS. The Government officials are compelled to let them stand out in the open unprotected?

Mr. THOMAS. Yes. Now, let me elaborate—

Mr. NORRIS. I am glad to get that information.

Mr. THOMAS. I have given it to the Senator from Nebraska, but I must explain my answer. That condition is due to the rapid and enforced demobilization of the Army, which, of course, carries with it the discharge of thousands of officers who alone

under our laws can be made responsible for Government property, and who are, therefore, the only persons who can be given custody of it. That is the situation, as represented by officials of the War Department before the Committee on Military Affairs time and again, and it has not been followed by peace legislation to provide for the contingency. That, I think, answers the Senator's question.

Mr. NORRIS. I hope the Committee on Military Affairs will bring in a bill or resolution that will permit the War Department to have the tops of the automobiles raised when the officers go away and abandon them. I might say further to the Senator from Colorado that in other parts of the country I notice the Government is selling automobiles at auction.

Mr. THOMAS. Yes; the Government is selling some automobiles.

Mr. NORRIS. Is that being done in defiance of law?

Mr. THOMAS. No; the Senator knows very well that it is being done under the provisions of the law.

So far as raising the tops of machines is concerned in particular places, I do not know. Of course, there may be some local instances of negligence that are absolutely unpardonable, and they ought to be corrected.

Let me say before I take my seat that the Committee on Military Affairs is doing the best it can, and I think the Senate has passed a measure for the relief in that direction, but the other House has not as yet taken action.

INDUSTRIAL CONFERENCE.

Mr. SHERMAN. Mr. President, I ask that the statements made by Albert H. Gary and Samuel Gompers appearing in to-day's newspapers be printed in the Record. They are short statements, but they present the issues before the industrial conference.

I wish to preface the printing of those statements in the Record, if that shall be permitted, by saying that the "collective bargaining" which is in controversy, advocated by Mr. Gompers, is an alias for the "closed shop." There is in it no new question. It is vital; it is not a question of legislation nor of arbitration; it is not a principle that can be compromised. It affects the individual right of an American citizen either to earn a living in a union or out of it; in a "closed shop" or out of it. Those are the underlying principles involved in the pending controversy. For that reason I wish to preserve at length in the Record the statements of the two men who voice the conflicting principles.

There being no objection, the statements referred to were ordered to be printed in the Record, as follows:

GARY'S STATEMENT FOR CAPITAL; GOMPERS DELIVERS LABOR'S REPLY.
JUDGE GARY SAID.

"I desire to make a brief statement in relation to the question under discussion, as well as others submitted to this conference. Further explanation of any vote I may register will probably be unnecessary.

"Like other members of the conference, I recognize that the public interest must always be considered as of the first importance; that all private interest must be subordinated.

"I am heartily in accord with the desire of the President to firmly establish proper and satisfactory relations between all groups of citizens connected with industry, including, of course, what has been designated as capital and labor.

"I believe in conciliation, cooperation, and arbitration whenever practicable without sacrificing principle.

"I am of the fixed opinion that the pending strike against the steel industry of this country should not be arbitrated or compromised, nor any action taken by the conference which bears upon that subject.

"Also, that there should be maintained in actual practice, without interruption, the open shop as I understand it, namely, that every man, whether he does or does not belong to a labor union, shall have the opportunity to engage in any line of legitimate employment on terms and conditions agreed upon between employee and employer.

"I am opposed to a policy or practice which unnecessarily limits production, increases costs, deprives the workman from receiving the highest wage rates resulting from voluntary and reasonable effort, hinders promotion or advancement in accordance with merit, or otherwise interferes with the freedom of individual action.

"As unorganized labor, which embraces the vast majority of working people, has no special representation in this conference, I deem it appropriate to say that all labor should receive due consideration, and that it is the obligation and ought to be the pleasure of employers at all times and in every respect to treat, justly and liberally, all employees, whether unorganized or organized."

SAMUEL GOMPERS'S REPLY.

"If what has occurred in the United States in industrial labor lately has afforded no opportunity for reason, for a new understanding, then there is no reason for a vote in this conference on this question (collective bargaining).

"You can not improve the superstructure safely until you have strengthened the foundation. And the millions of toilers in the United States are the foundation upon whose shoulders rests the entire superstructure of our industrial building.

"The solicitude of the modern employer, who has that understanding of and that great sympathy for the unorganized worker—well, the unorganized workers know where to come when they are in great stress; they know. They know where they can get sympathy; they know where they can get encouragement; they know where their hope lies—and they come to us to be rid of the domination and injustices of arbitrary employers. They come to us and even though we can not help them, by God!—and I say it with all reverence—we will not hurt them."

Mr. STERLING. Mr. President, as is well known, the industrial conference in session in Washington is composed of the representatives of three groups—the employers' group, the labor group, and one group which is supposed to represent the general public. I have here an editorial from the Aberdeen (S. Dak.) News, which is entitled "Give farmer square deal." I ask that the editorial may be read, and I trust that it may receive the attention of Mr. Baruch, who is represented as the spokesman of the public group.

Mr. McCORMICK. Will the Senator yield for just a moment?

Mr. STERLING. Yes.

Mr. McCORMICK. Would not a "square deal" to the farmers be revolutionary in this epoch?

Mr. STERLING. I hardly think it would.

Mr. SHERMAN. Perhaps the Senator from South Dakota will permit me to make an inquiry?

Mr. STERLING. Certainly.

Mr. SHERMAN. Does the Senator have the idea that the gentlemen named to represent the public are in fact representing the public?

Mr. STERLING. I am not so sure about that, I will say to the Senator from Illinois.

Mr. SHERMAN. I want definite information. I have been subject to distressing doubts, and I want to be satisfied.

Mr. STERLING. I think, perhaps, I myself share the doubts expressed by the Senator from Illinois.

The VICE PRESIDENT. Is there objection to the reading of the editorial presented by the Senator from South Dakota? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

"GIVE FARMER SQUARE DEAL.

"Henry Watterson, in his 'Looking Backward' article in the Saturday Evening Post of this week, tells of a debate he once had with William McKinley, in which the subject was which political party was doing the most for the workingman. In his discourse he claimed that it was advisable to discover first who is a workingman in the United States, and he insisted that every person, except the hobo and the 'dude,' the latter term now practically extinct in the vocabulary of Americans, is a workingman. He said the banker, the educator, the merchant, the farmer, the business man, the laborer, all were workingmen together.

"There was much sound sense in the contention of the old Democratic editor, and it applies as well to-day as it did when he had his debate with McKinley, although there is a tendency in some directions to recognize only a member of organized labor as really and truly a laboring man. This tendency is exemplified at the industrial conference at Washington, where of the 45 members 15 are allotted to labor (organized labor), 15 to employers, and 15 to the general public.

"Now, organized labor is but a very small part of the population compared to the farmer, yet of the whole 45 delegates at the conference but 3 are farmers. Farmers, justly, are complaining of this fact, and attribute it, with a considerable show of reason, to the fact that because organized labor has the strike weapon and exercises it, the President, in organizing the conference, gave union labor more consideration than he gave the farmer. There really is no reason in the world why the conference should not have been divided into four groups, with the farmers of the Nation represented by 15 delegates, as well as the labor unions, the employers, and the public. That would have been just, and would have helped the conference materially in arriving at a correct solution of existing problems.

"For the fact can not be gotten away from that the farmer, the first producer of everything the resident of the city eats or wears, was the first sufferer from the high cost of living, and is by way of becoming the first sufferer from the reduced

cost of living, when it comes. For instance, hogs have dropped materially on the live-stock markets within the past few weeks, but town people are paying nearly as much for fresh pork, bacon, and ham as they did before the drop. Corn has slumped on the market, so has barley and other grain. The farmer is the loser. And while farm products are showing a downward tendency, whatever the farmer has to buy persists in advancing. This is shown by the fact that farm hands in some parts of the State are demanding 10 cents a bushel for husking corn, and by the higher price the farmer has to pay for farm machinery, lumber with which he builds his barns, and other material he has to use in his business.

"The industrial conference should have had a larger farmer representation, and it will not accomplish its full purpose if it goes at a solution of the high cost of living, among its other problems, by starting at the farmers' end of the high-cost proposition and seeking to reduce the price of farm products while maintaining war-time profits for manufacturers, organized labor, and other branches of industry."

ADDRESS BY GILBERT H. MONTAGUE.

Mr. EDGE. Mr. President, I should like to request unanimous consent to have inserted in the Record without reading an address by Gilbert H. Montague, a well-known attorney of the New York bar, delivered before the annual convention of the American Manufacturers' Export Association on "Cooperative opportunities for the manufacturer under pending legislation." I may say that just at this time, as all Senators are probably aware, in Atlantic City there is being held a convention attended by representatives of commercial organizations from various countries of the world. The address made in New York is so pertinent to the present situation and to the problems of American export development that I feel it would be of considerable use to have it distributed, and I, therefore, ask unanimous consent to have it printed in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

COOPERATIVE OPPORTUNITIES FOR THE MANUFACTURER UNDER PENDING LEGISLATION.

[An address delivered before the annual convention of the American Manufacturers' Export Association, Oct. 17, 1919 by Gilbert H. Montague, of the New York bar.]

"Cooperation has its uses, but it is no substitute for a sales organization or for marketing ability or for the singleness of purpose that is essential to successful sales promotion in foreign countries. Cooperative export corporations and associations organized under the Webb-Pomerene Act have, in a number of instances, been conspicuously successful; but they have succeeded only in so far as they have overcome the inherent disintegrating tendencies of cooperative enterprise, and by insistence upon adequate sales organization and experienced marketing ability have attained an efficiency in sales promotion equal to that of their single-headed competitors.

"The Edge bill, and the various other measures to assist the financing of our export trade, which are now pending in Congress, must be regarded, like the Webb-Pomerene Act, as merely machinery without power. Unless power, adequately supplied and above all wisely directed, be applied to this machinery by those attempting to operate it, the results will be disappointing and even disastrous.

"Whenever an American district has been desolated by fire or flood, rehabilitation, as a matter of course, has come through the assistance of every outside financial and commercial interest that has dealt, or thereafter hopes to deal, with the afflicted community. Outside manufacturing interests immediately and thoroughly canvass the financial, material, and moral resources of their customers and also of those whom they desire hereafter to be their customers in the afflicted region, and within the limits of sound commercial credit, these outside commercial interests, with the assistance of the outside banks that serve them, and of the local banks that serve the customers, grant extensions on old credits and open new ones. Outside financial houses, representing nonresident investors in the outstanding securities of governmental bodies or business enterprises that have been prostrated by the disaster, promptly and carefully investigate underlying conditions in the devastated area, and assist in extending or readjusting the existing indebtedness and in arranging new loans upon security which will appeal to an increased circle of outside investors. So swift and effective are these operations that within a space measured almost by months, new cities arise upon the ruins of the old, having financial, material, and moral resources far greater than the old, and joined to the outside financial and commercial interests that have come to their assistance by sentimental and business ties of the most enduring character.

"The present European problem is unfortunately far more complicated than that of any prostrated American district. Trained financial and banking ability of the highest technical order will be taxed to its utmost to reduce this problem to anything approaching the relative simplicity of the rehabilitation of a devastated American city. But after financiers and bankers have overcome the obstacles presented by differences in nationality, in credit forms, in depreciated currency, in foreign exchange, in balance of trade, and in European fiscal policies, there will still remain for every American manufacturer that heretofore has dealt, or hereafter hopes to deal, with Europe essentially the same work to do, only in thousandfold increased degree, as is required for the rehabilitation of any devastated American community.

"When inquiries come in from abroad for prices and terms, the American manufacturer appealed to must immediately and thoroughly canvass the financial, material, and moral resources of his prospective customers and within the limits of sound commercial credit, and with the assistance of the manufacturer's own banks and of the local banks which serve the customers, decide upon his terms of credit. Necessarily, the initial investigation must be made wholly from the American manufacturer's standpoint. In American territory, the manufacturer himself, through his own organization, conducts the investigation, with such assistance as he requires from his own banks and from local banks in the customer's territory. In the European situation, however, because of the obstacles already mentioned, much greater assistance from the banks is required. The American manufacturer's standpoint, however, must be maintained throughout. And only by cooperation either between the individual American manufacturer and the banks whom he consults, or between American manufacturers associated in groups and served by competent financial and banking assistance specially equipped for this particular service, can this standpoint be preserved.

"For the granting of short credits, for 30, 60, or 90 days, within the limits of sound commercial practice in export trade, there are already existing, or in sight, reasonably adequate facilities. This is particularly the business of the American banks, and is being effectively carried on by member banks of the Federal Reserve System, either directly or through their branches in foreign countries, or by corporations organized under State laws and engaged in international or foreign banking, in which member banks of the Federal Reserve System are authorized to invest not exceeding 10 per cent of their capital and surplus. Several member banks of the Federal Reserve System, during the past 18 months, have organized and invested in corporations of the class last mentioned.

"For the granting of long-time credits, however, running beyond 90 days and sometimes into periods of years, facilities are by no means so adequate; and the need for careful scrutiny of the foreign customer's resources, and for the proper carrying of the credits after they are granted, is far more serious.

"The Belgian Government, let us suppose, needs steel rails for its Government-owned railways, and can pay for them only with Government bonds maturing 10 years hence. The American manufacturer, to whom the Belgian Government appeals, must first investigate the Government's resources, to make sure that the interest upon its bonds will be met when due, and that the principal will be paid upon maturity. Even if the bonds are found to be safe, however, the American manufacturer himself can not carry them until maturity, for in doing so he would be depriving himself for 10 years of working capital which he requires in the conduct of his own business. For the same reason, neither the manufacturer's bank in America nor any bank in Belgium, or anywhere else, can afford to carry these bonds. Unless, therefore, they can, within a reasonably short period, be disposed of for cash by the American manufacturer, he can not afford to accept them, and must decline the Belgian Government's business.

"The problem is very similar to that of an American street railway which needs electrical equipment and can pay for it only with its corporate bonds maturing 10 years hence. For many years various electrical equipment manufacturers have maintained subsidiary companies which, in instances like these, have taken street railway bonds and deposited them, together with other bonds accepted from other customers in purchase of electrical equipment, with a trust company, under a trust agreement to secure an issue of the subsidiaries' own notes, which the subsidiaries have then sold to institutions and individuals for permanent investment. The money which the investing public has thus paid to the subsidiaries in exchange for the latter's notes has, in effect, returned through the subsidiaries to the electrical manufacturers to pay them for the electrical equipment which they have sold to the street railway.

Thus the street railway has bought on long-time credit, but this long-time credit has been carried by the investing public and not by the electrical manufacturers or their banks.

"Instead of themselves organizing subsidiary companies to finance sales to their foreign customers American manufacturers in some instances may best be served by leaving this work to be done by their banks, collectively and cooperatively. One hundred million dollars of purchases by the French Government from American manufacturers during the European war were thus successfully financed, and eventually fully paid for, by a credit operation which has now become history.

"On July 14, 1916, the American Foreign Securities Co. was incorporated in Delaware by a group of American bankers to acquire, by purchase or otherwise, and to hold or dispose of, stock, bonds, or obligations of any foreign or domestic government or corporation. On July 18, 1916, the company entered into a contract with the Government of the French Republic whereby the company made the French Republic a loan of \$100,000,000, bearing interest from August 1, 1916, and payable July 31, 1919. Unlike the examples already considered, the company not only took the note of the French Government but also insisted that the French Government deposit collateral with the note. To secure the payment of principal and interest of the loan the French Republic pledged various securities with the company and authorized the company to rehypothecate these securities. The value of these securities was calculated to be \$120,000,000, and the French Government agreed to pledge from time to time additional securities so that the calculated value of the collateral should always be 20 per cent in excess of the principal of the loan. The collateral pledged included obligations of the Governments of Argentina, Sweden, Norway, Denmark, Switzerland, Holland, Uruguay, Egypt, Brazil, Spain, Province of Quebec, Suez Canal, and various United States and Canadian corporations. Under its authority to rehypothecate these securities the company deposited \$126,526,534 worth of them with the Bankers Trust Co., in New York, as trustee, under a trust agreement to secure \$94,500,000 of the company's three-year 5 per cent gold notes, dated August 1, 1916, and payable August 1, 1919, which notes the company publicly offered for general sale in July, 1916, at 98 and interest. Throughout the war these notes maintained a high value and on August 1, 1919, they were paid in full. Meanwhile the company paid dividends averaging more than 8 per cent per annum upon its \$10,000,000 of capital stock.

"Instead of individually organizing subsidiary companies like the electrical equipment manufacturers above described, or of leaving this work to be done by their banks upon the analogy of the American Foreign Securities Co. above described, American manufacturers in the same line of business may in some instances best finance their sales to foreign customers by collectively and cooperatively organizing and operating their own investment and financial corporation for that purpose. Such an institution, with a capitalization of upward of \$100,000,000, is already under consideration, according to newspaper reports, by a group of American manufacturers of railway equipment, who, it is stated, will themselves take the leadership in the institution and will depend for expert financial and banking assistance and for the marketing of their securities when issued upon their affiliated banking connections and upon security-issuing houses associated with them in the enterprise.

"European bankers, somewhat more than American bankers, have more or less permanently invested their own funds in long-time credits, and have thus assimilated the standpoints of both the manufacturer and the banker which, excepting possibly in the public utility field and the electrical equipment field, and more recently in a few instances in the foreign field, have not often been combined in the United States. Danger is always possible, of course, in any departure from the banker's strict standards of credit. Inertia, however, is no less possible in the inelastic application to long-time credits of standards to which bankers are accustomed in the short-time credits which constitute their business. In the future financing of the American export trade neither the banker's standpoint nor the manufacturer's standpoint can be disregarded. The most fortunate results, it is believed, will be obtained by a policy which fairly reflects both points of view.

"How successful may be investment in financial institutions which have attained this golden mean appears from the history of some of the English, Scotch, and Swiss 'investment trust companies.' These are institutions for the acquisition, disposition, and rehypothecation of securities particularly in foreign trade and are operated substantially upon the plan of the electrical equipment subsidiaries above described, and began to be formed in Great Britain during the third quarter of the last century. Like our own American savings banks and insurance companies, these investment trust companies have pursued the

policy of selecting their securities in various lines of trade and from all parts of the world. The Investment Trust Corporation (Ltd.), of London, for example, in its statement of 1917, shows 315 kinds of investments; the Second Edinburgh Investment Trust (Ltd.), of Edinburgh, Scotland, for the same year, showed 235, and the Metropolitan Trust Co., of London, showed 220. These investments included foreign government issues, municipal loans, mortgage bonds, preferred and common shares in railroads, public utilities, banking, commercial, and industrial corporations. The Investment Trust Co. (Ltd.), of London, is capitalized for \$10,000,000, and has outstanding \$10,000,000 in 4 per cent bonds, and during the 10 years expiring in 1917 paid dividends averaging about 12 per cent per annum upon its common stock. The Second Edinburgh Investment Trust (Ltd.), of Edinburgh, Scotland, is capitalized for \$2,250,000, and has outstanding \$1,950,000 in 4 per cent bonds and during the nine years expiring 1916 paid dividends averaging 12 per cent per annum upon its common stock. The Metropolitan Trust Co. (Ltd.), of London, is capitalized for \$4,000,000, in 4 per cent bonds, and during the 10 years expiring 1918 paid an average of 12 per cent per annum upon its common stock. The Bank for Electrical Securities, of Zurich, Switzerland, which specializes in the securities of public utility companies, and the Franco-Swiss Co., of Geneva, Switzerland, which specializes in city and railroad bonds, have had almost as great a development.

"Heretofore no Federal law has provided for the organization of such investment and financial institutions as these, nor were member banks of the Federal Reserve System authorized to invest in them.

"To correct the first of these deficiencies, the Edge bill (which passed the Senate September 9, 1919, and is now pending in the House of Representatives) provides in effect that corporations for the granting of long-time investment credits as well as short-time commercial credits may be organized under the Federal reserve act, though not themselves entitled to membership in the Federal Reserve System, which shall be capitalized at \$2,000,000 or over, of which capital at least one-fourth must be paid in before commencing business, which corporations may then engage in international or foreign banking 'or other financial operations' with power to invest not exceeding 15 per cent of their capital (subject to the approval of the Federal Reserve Board) in other corporations similarly organized, or in foreign corporations, provided such corporations transact only purely incidental business in the United States.

"The importance of the Edge bill to the export trade of the United States is emphasized by the Federal Reserve Board in a letter urging the passage of the bill which it officially addressed to the Senate Committee on Banking and Currency last July:

"The credit situation in Europe at the present time is such that in order to maintain a stable market for our exports it will be necessary not merely to grant short-time commercial credits * * * but also long-term investment credits. * * * To this end Senate bill 2472 (the Edge bill) provides for the organization of corporations which shall be permitted to engage both in the business of international or foreign commercial banking and in other financial operations as distinguished from commercial banking, such as shall be necessary to assist in the development and maintenance of the commerce of the United States.

"The Federal Reserve Board earnestly indorses the proposed bill and suggests that its enactment is even more essential at this time than when its adoption was first recommended by the board. The board knows no one way in which the present European credit situation may be more effectively dealt with than by the incorporation of institutions of the kinds provided for in this bill, and anything that betters that situation assists not merely in the gigantic task of reconstruction in Europe, but also in providing a market for our own exports and in developing our foreign commerce in a most effective and satisfactory way.

"To correct the second deficiency, the McLean bill (which passed Congress Sept. 5, 1919) provides that until January 1, 1921, any member bank of the Federal Reserve System may invest not exceeding 5 per cent of its capital and surplus in any corporation or corporations of the class provided in the Edge bill, so long as the financial interest of such member bank in such corporation and in the establishment of branches in foreign countries does not exceed a total of 10 per cent of its capital and surplus.

"The Edge bill specially provides in effect that shares of corporations organized under it shall be owned, in the majority at least, by citizens of the United States and by corporations organized under State or Federal laws, or firms or corporations controlled by citizens of the United States, whether engaged in domestic competition or not. While the Edge bill forbids corporations organized under it to become members of the Federal Reserve System, nevertheless it specially provides that such corporations may constitute member banks of the Federal Reserve System as their agents, and specially permits such member banks of the Federal Reserve System, subject only to regu-

lations of the Federal Reserve Board, to place their facilities at the disposal of corporations organized under the Edge bill.

"The practical benefits which manufacturers throughout the United States, particularly manufacturers cooperating under the Webb Act, will derive from the Edge bill are explained by Senator Edge in a recent statement, as follows:

"The procedure under the prospective laws is simplicity itself; it is merely the application to international trade of the accepted method by which John Doe sells his business to penniless Richard Roe and yet obtains actual cash payment in the transaction. The American exporter or manufacturer may sell his goods to an impoverished foreign purchaser—a foreign Government or a private concern. One of the proposed corporations then may accept collateral from the purchaser, acceptable to the Federal Reserve Board, and against this issue debentures to sell to investors, and the money so received will be paid to the American seller. Through the powers granted to these proposed corporations they may accept even mortgages on the plants or other real property of the purchasers—'to borrow and to lend money on real or personal property,' so reads the bill. Thus a foreign concern in need of raw materials may obtain it by giving a mortgage on its plants and eventually by turning this raw material into finished product will be able to redeem its collateral and to put aside a little profit besides.

"Of special value will this be to corporations or combinations organized under the Webb Act. For instance, a group of shoe men who have combined to sell their shoes abroad may combine to finance their own commercial operations with which they will be intimately familiar. So also with manufacturers and exporters in every other line, even agriculture, they will be able to keep all the reins in their own hands.

"From the foregoing it appears that the Edge bill, in brief, facilitates further investment by member banks of the Federal Reserve System in corporations organized for financing long-time credits in foreign trade, and adds the official encouragement of the Federal Government to a class of investment and financial institutions which have already abundantly justified such encouragement by successful operation in a number of pioneer instances in several European countries and in the United States under various State laws. Neither the Edge bill nor any institutions organized under it is other than a piece of quite familiar machinery. Wisely directed, with correct application of power, its results will be permanently beneficial to American export trade. It requires, however, the same thorough investigation of foreign customers to whom credit is granted and the same careful building up of good will among American investors to whom its securities must be sold that is required in the successful operation of any other investment and financial institution. To accomplish this cooperation is necessary; in some instances cooperation among American manufacturers in the same line of business, but in all instances cooperation between American manufacturers and the best financial and banking intelligence which they can consult. For the points of view of the manufacturer, the bank, the security-issuing house, and the investing public, together with the point of view of America's future position in the export trade of the world, must all be reflected in the conduct of the institutions to be organized under the Edge bill."

Mr. SPENCER. Mr. President, if there is no objection, I ask to have inserted in the RECORD without reading an article on the United States and the Shantung question by Mr. Thomas F. Millard, which has just reached me. It has been so helpful to me that I should be glad to have other Senators see it.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE UNITED STATES AND THE SHANTUNG QUESTION.
(By Thomas F. Millard, Oct. 17, 1919.)

"Efforts to rectify the so-called Shantung provisions of the treaty adopted at Paris have two major considerations and objects:

- "(a) Protection of the interests of the United States.
- "(b) Protection of China.

"In dealing with the question it is presumed that the American Senate gives primary place to the first (a) object, with a sincere desire also to secure the second object.

"No statements or arguments have been brought into the discussion by prominent Americans indicating that any branch of the American Government has thought of abandoning the traditional American policy toward China, as embodied in the Hay doctrine of the commercial open door for all nations and the preservation of the territorial integrity and administrative autonomy of China. The argument is about means to preserve that doctrine and policy in relation to the treaty and covenant adopted by the Paris conference. It is evident that a majority of the Senate and of the American people regard the treaty provisions concerning Shantung as unsatisfactory and as subversive of both of the above-named objects. Two methods of correcting the treaty and covenant are proposed, by amendment and by reservations.

"A distinction can be made between these methods, viz, amendment of the treaty and covenant attempt to reverse certain things that were done by the Paris conference; reservations attempt to deprive those acts of the conference of binding force upon the United States. Amendments attempt to react upon the past;

reservations look more to the future. Both methods may have the same ultimate results. From the standpoint of the interest of America in the Shantung question they seem as well safeguarded either way.

THE INTEREST OF CHINA.

"There is no doubt that it would have been more satisfactory to China had the Paris conference adopted provisions regarding Shantung by which Germany's position and rights and property there were ceded to China instead of to Japan, especially if Japan had signed a treaty containing those provisions; and even if Japan had not signed such a treaty a powerful international force would have been formally aligned against her. It may be pointed out, however, that even if the treaty had awarded the German rights and position in Shantung to China, Japan still would have been actually in possession of those rights, and the task of enforcing the treaty would have remained a delicate and difficult one; in short, the problem of getting Japan out of Shantung and other parts of China would have been a very embarrassing question for the powers.

"In that connection, the matter of the so-called 'secret' agreements has an important bearing. These were private engagements made in February and March, 1917, whereby the British, French, Russian, and Italian Governments agreed, in substance, to support Japan at the peace conference in her claim to inherit the German rights and position in Shantung. An examination of the texts of those diplomatic engagements indicates that the four Governments mentioned did not commit themselves in those private agreements to support Japan beyond the peace conference. Therefore by supporting Japan at the conference those Governments fulfilled the letter of their engagements and the secret Shantung agreements were terminated by being paid in full. If, however, it was proposed to amend the treaty by reversing its articles relating to Shantung, and such an amendment was referred back to the conference, the secret Shantung agreements would be revived in their binding force on the British, French, and Italian Governments, and those Governments almost certainly would feel compelled to again support Japan's position. In these circumstances there is little prospect that the consent of the principal powers to a change in the Shantung clauses could be obtained.

"On the other hand, the position of the United States on the question can be made clear by an explicit reservation, leaving the American Government free hereafter to pursue its traditional policy toward China. By not reviving the secret agreements and leaving them extinguished by being satisfied the British and French Governments also are left free regarding a future policy toward China, provided those Governments have not already made or do not hereafter make other engagements with Japan binding their actions.

"From these circumstances it appears that any advantages that might be gained by attempting to amend the Shantung clauses of the treaty might be offset by reviving the secret Shantung agreements, thereby circumscribing the policies now and perhaps hereafter of the British, French, and Italian Governments.

"The acceptance of an amendment on Shantung by the conference at one time would probably have induced the Chinese Government to sign the treaty with Germany, but it hardly would have that result now, because the Chinese Government already has declared peace with Germany by resolution and will arrange the details by negotiation. By signing the treaty with Austria, China has become eligible for membership of a league of nations should one result from the Paris conference.

"China's interest is apt to be served now and hereafter by measures that will determine or influence the alignment of the principal powers on the broad issues of the Hay doctrine and on moves to induce Japan to restore Shantung and Manchuria and to abandon her policy of aggression in China.

HOW TO PRESERVE THE HAY DOCTRINE.

"China can be saved by saving the Hay doctrine and by converting its basic principles into international practice. On this purpose American diplomatic policy should be concentrated. These conditions are essential to the success of such a policy:

"(a) An alignment of Great Britain with the United States on this question, and if possible also of the other principal nations in Europe, especially France.

"(b) Knowledge by the American Government of all diplomatic agreements and understandings, private or open, between Great Britain and those other powers in Europe relating to China and Asia, and of those powers with Japan.

"(c) Prevention by the American Government, if possible, of any further agreements between those powers, or between any of those powers and Japan, or between any of those powers and China, which are antagonistic to or subversive of the prin-

ciples of the Hay doctrine, and the abrogation of existing agreements of that character.

"(d) A declaration by the American Government that it regards the political development of China and of eastern Asia on democratic lines, and free of the interference and oppression of the imperialistic policies of any nations, to be of fundamental importance to the United States and to American institutions.

"(e) A refusal by the United States to allow its capital wealth and other resources to be used either directly or indirectly through other nations to obstruct or impede the fruition of the American policy in eastern Asia, and the withholding of American financial and other assistance to nations that either directly or indirectly oppose or try to subvert the Hay doctrine.

"(f) The creation of the necessary facilities and agencies for extending and securing the American position in eastern Asia.

"(g) Establish a definite entente or alliance with Great Britain and France by which those powers will aid America in sustaining and putting into practice the Hay doctrine in China.

"It, of course, is true that the treatment of some of these matters lies outside of the prerogatives of the Senate in dealing with the present treaty and covenant, but it is in the power of the Senate to lay the foundations for them in its action relating to the treaty and covenant.

AN ANGLO-FRENCH-AMERICAN ENTENTE OR ALLIANCE.

"Interwoven with the treaty and covenant adopted at Paris, and as a supplement to them, the President has laid before the Senate for its consent a treaty whereby the United States engages, under certain conditions (of an 'unprovoked' attack on France by Germany), to come to the assistance of France with military and other forces. By reason of the fact that at the same time a similar treaty was arranged between France and Great Britain, the two treaties constitute, in effect, a tripartite defensive alliance.

"This proposed alliance is designed to secure to France safeguards not believed to be assured by the league of nations. Its territorial application is confined to Europe and to a single specified contingency. By becoming a party to it, the United States will be committed to obligations which entail great responsibility and expense and which involve this Nation in the whole corpus of European international politics. While the language of the proposed alliance treaty makes the condition of American participation an unprovoked attack by Germany upon France, the nature and causes of such provocation manifestly are not and plainly can not be confined strictly to issues that may arise directly between Germany and France. The treaties adopted at Paris reshape the political map of Europe and create conditions and relations which plant possible causes for provocations between Germany and France in every boundary and question arising in Europe, and even outside of Europe. If the United States enters upon this proposed alliance, every friction of nations in Europe or of European nations anywhere in the world will carry the possibility of eventually bringing this alliance into effect.

"In the terms of the proposed alliance the United States assumes heavy obligations in the interest of France; or, to broaden the application to its real content, to sustain a certain balance of power in Europe by backing up France.

"But the alliance as written contains no compensation for the United States. It provides for no defense or support of American territory or interests anywhere by France and Great Britain.

"In connection with the Far Eastern policy of the United States a clause in this proposed Anglo-French-American alliance treaty by which the French and British Governments again express adherence to and engage under certain conditions to aid America in defending or enforcing the Hay doctrine would clarify the attitudes of those powers vis-à-vis this question and aid greatly in establishing the future tranquillity of China and in averting a rupture of the peace about the Shantung and Manchuria questions. Such a clause will protect the interests and rights of China and safeguard the American policy toward China, as well as can be done now by diplomatic provision."

ESTATE OF THOMAS H. HALL.

Mr. FLETCHER. Mr. President, I should like to ask unanimous consent of the Senate for a little indulgence with reference to a bill on the calendar. It will not take five minutes to act on it, I am sure. It is a bill which once has been passed by the Senate; it has twice been favorably reported in the House and favorably reported in the Senate, and unless it is

passed now it will be too late to give the relief intended. It is a very small item, only involving \$544.73, which, of course, is a bagatelle so far as the Government is concerned, but it is of great importance to the widow of Mr. Hall, who is being sued for that amount under conditions which make it improper that she should be called upon to pay it. I repeat, the Senate has passed the bill once before, and, as I have said, unless it is passed now and goes to the House it will be too late to afford the relief, because the suit is now pending in the Federal court which it is intended to relieve. I am sure we can dispose of it in two minutes, and I therefore ask unanimous consent for the immediate consideration of the bill (S. 2716) to relieve the estate of Thomas H. Hall, deceased, late postmaster at Panacea, Fla., and the bondsmen of said Thomas H. Hall, of the payment of money alleged to have been misappropriated by a clerk in said office.

Mr. SMOOT. I should like to have the bill read.

Mr. WARREN. I withhold objection until the bill has been read.

Mr. FLETCHER. A report has been filed with the bill.

The VICE PRESIDENT. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That the estate of Thomas H. Hall, deceased, late postmaster at Panacea, Fla., and the bondsmen of the said Thomas H. Hall as such postmaster, be, and they are hereby, relieved of the payment of \$544.73, together with the amount of the costs which may have accrued on account of the United States bringing an action to enforce the payment of said sum, the said sum being the amount of cash and funds held by the Post Office Department to be due from said Hall's estate to the United States for money misappropriated to his own use by a clerk in said office while the proffered resignation of said Hall was pending in the Post Office Department and while the said clerk was acting postmaster with the consent and acquiescence of the United States.

Mr. FLETCHER. That is the whole case.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being on objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FIRST DEFICIENCY APPROPRIATION BILL.

Mr. WARREN. Is morning business closed?

The VICE PRESIDENT. Morning business is closed.

Mr. WARREN. I ask unanimous consent that the Senate proceed to the consideration of House bill 9205, being the first deficiency appropriation bill for the fiscal year ending June 30, 1920.

The VICE PRESIDENT. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 9205) making appropriations to supply deficiencies in appropriations for the fiscal year ending June 30, 1920, and prior fiscal years, and for other purposes, which had been reported from the Committee on Appropriations with amendment.

Mr. WARREN. I ask that the formal reading of the bill be dispensed with and that the bill be read in full for amendment, the amendments of the committee to be first considered.

The VICE PRESIDENT. Is there any objection to the request of the Senator from Wyoming?

Mr. KING. Mr. President, I understand the Senator does not want to ask that the reading be dispensed with at some period during the progress of the bill.

Mr. WARREN. The bill will be read entirely as we go along.

The VICE PRESIDENT. Without objection, the formal reading of the bill will be dispensed with, and the bill will be read for amendment, the committee amendments to be first considered.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, at the top of page 2, to insert:

BUREAU OF EFFICIENCY.

With a view to facilitating the Bureau of Efficiency's investigation of duplication of work in the several executive departments and independent establishments as now authorized by law, it is hereby directed that before any Government department or independent establishment shall undertake any new activity, inquiry, or investigation, it shall inform the Bureau of Efficiency of (1) the character and scope of the activity, inquiry, or investigation, (2) the probable number of persons to be employed, the probable salaries to be paid, and the probable total cost of the activity, inquiry, or investigation, and (3) the appropriations out of which expenditures are to be made.

The Bureau of Efficiency is directed to investigate the methods of business of the Bureau of War Risk Insurance and to report to the Congress at the beginning of the next regular session, with such recommendations as it may deem proper to make. If only a partial report can be made at that time, a complete report shall be made as soon thereafter as practicable.

The amendment was agreed to.

The reading of the bill was resumed, and the Secretary read as follows:

CIVIL SERVICE COMMISSION.

For temporary employees for the Civil Service Commission, \$50,000: *Provided*, That not more than two persons shall be employed hereunder at a rate of compensation exceeding \$1,400 per annum and no person shall be employed hereunder at a rate of compensation exceeding \$1,800 per annum.

Mr. KING. Mr. President, I should like to ask the chairman of the committee whether the appropriation made for the Civil Service Commission—as I recall, it was a very generous and a very liberal one—proved inadequate; and, if so, why? Has the Civil Service Commission been adding to its personnel or force without any authority of Congress?

Mr. WARREN. The Senator is alluding to this appropriation of \$50,000 put in by the House?

Mr. KING. Yes.

The VICE PRESIDENT. This is not a committee amendment.

Mr. KING. I am aware of that.

Mr. WARREN. It is not a committee amendment, and it is hardly in order to take it up now.

Mr. KING. I was merely inquiring so as to save recurring to it. If the Senator prefers, however, I will defer my inquiry.

Mr. WARREN. It is a deficiency, and it was stated originally by the commission that unless the appropriations were made larger there probably would be a deficiency.

The VICE PRESIDENT. The Secretary will continue the reading of the bill.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, at the top of page 3, to insert:

COMMITTEE ON PUBLIC INFORMATION.

For expenses of auditing and closing the accounts of the Committee on Public Information, to be expended under the direction and supervision of the Secretary of the Treasury, \$32,000. All unexpended balances of appropriations for the Committee on Public Information, together with all proceeds from the sale of material and receipts from the activities of said committee, shall immediately be covered into the Treasury as miscellaneous receipts upon the passage of this act: *Provided*, That that part of the sundry civil appropriation act for the fiscal year 1919 which provides "that all moneys received through the motion-picture activities of the committee shall be paid into the Treasury to the credit of the appropriation and be available for the said activities" is hereby repealed.

Mr. McKELLAR. Mr. President, will the chairman of the Committee on Appropriations explain this item?

Mr. WARREN. It is for the purpose of closing up the expense accounts and effects of what remains of the Creel Bureau of so-called Public Information.

The VICE PRESIDENT. The question is on agreeing to the amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the head of "District of Columbia," on page 3, after line 15, to insert:

DISTRICT OF COLUMBIA.

SEWERS.

The unexpended balances of appropriations contained in the District of Columbia appropriation act for the fiscal year 1919 for main and pipe sewers and receiving basins, for suburban sewers, and for assessment and permit work, sewers, amounting in all to approximately \$120,000, are hereby reappropriated and continued available during the fiscal year 1920.

The amendment was agreed to.

The next amendment was, on page 3, after line 24, to insert:

Upper Potomac interceptor: For additional amount required for continuing the construction of the upper Potomac interceptor between Twenty-seventh and K Streets and the Chain Bridge, \$19,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 2, to insert:

PUBLIC SCHOOLS.

Community forums and civic centers: Not to exceed 50 per cent of the appropriation of \$25,000 for the fiscal year 1920 for expenses of the community forums and civic centers in the public schools of the District of Columbia may be expended for payment of secretaries, teachers, organizers, and clerks.

Mr. KING. Mr. President, when the last appropriation bill was under consideration there was considerable debate over the appropriation for the civic forums; and, as I recall, the appropriation, though it was very liberal, was cut down from what some had desired. Is it the plan now to augment that appropriation?

Mr. WARREN. Not at all. If the Senator will read the amendment, it adds nothing to the former appropriation. It simply allows 50 per cent instead of 25 per cent to go for clerks and other employees, instead of going for rental and janitors, as they do not need the 75 per cent as it stood for the payment of janitors, rent, and expenses of that kind.

Mr. SMOOT. Mr. President, I desire to offer an amendment to the amendment, if it is in order. I move to strike out "50," in line 5, page 4, before the words "per cent," and insert "33½."

The reason why I propose that is this: The present law authorizes but 25 per cent of the appropriation for the fiscal year 1920 for expenses of the community forums and civic centers in the public schools of the District of Columbia to be expended for payment of secretaries, teachers, organizers, and clerks. Instead of using 25 per cent for these purposes, as Congress intended, and as has been the case in the past, they now want to take 50 per cent of the amount of the appropriation, in order that they may employ more secretaries, more teachers, more organizers, and more clerks. That is the effect of this amendment as reported. Perhaps it would be the part of wisdom to give them a little more than 25 per cent, but I can not see why we should give them 50 per cent for these specific purposes, although I know the object of it. The object of it is that the next time they ask for an appropriation it will be more than the present \$25,000. I think that if we take one-third of the whole amount of the appropriation for the purpose of paying the secretaries, teachers, organizers, and clerks that is sufficient. Therefore I offer that amendment.

The VICE PRESIDENT. The amendment to the amendment will be stated.

The SECRETARY. On page 4 in the committee amendment, on line 5, it is proposed to strike out "50," before the words "per cent," and to insert in lieu thereof "33½."

Mr. WARREN. Mr. President, I hope that motion will not prevail, and that the matter may be allowed to go as it stands to the committee of conference.

The allusion to what has been done in the past can apply only to two appropriations, because it is a new matter; and the determination of the committee, if I may judge by expressions when we were considering this item, was that this probably would be the last appropriation. They asked for \$65,000 for this purpose, if I remember correctly—either sixty or sixty-five thousand dollars—and we gave them \$25,000, and we restricted the matter of teachers, and so forth, to 25 per cent. It would have been a matter of using the money for purposes that might not be necessary if it were left as it is, because the quarters can be provided without payment. It is a matter of evening meetings, and so forth, in the schoolhouses. The payment of janitors for attention, of course, has to go on, but the whole object of this is to impart knowledge to the young. In order to impart that knowledge, teachers are required; and, of course, the organizers and clerks come along, so that I think the committee in voting on this believed that it should go to conference as it stands.

I therefore hope the amendment to the amendment may not prevail.

Mr. SMOOT. Mr. President, just one more word.

I wish that I had the list of the activities that this community forum and civic center has mapped out. It goes into every conceivable activity of life, including the teaching of French, the teaching of the violin, the teaching of cooking, the teaching of a hundred different things, as enumerated in the list that they themselves have furnished members of the committee. I left the list over at my office, or I would put it in the Record in full. Allow me to say now that if the program is carried out the appropriation in years to come will not be \$25,000, but it will be nearer \$250,000, and we will not have a few teachers and organizers and clerks and secretaries, but we will have a horde of them in the District of Columbia, and we will be asked to furnish a building for them to occupy if the program as submitted is carried out.

I am perfectly willing that the Government shall pay the salaries of the necessary clerks and a limited number of teachers that are required in the District of Columbia for carrying on meetings to be held under the auspices of the community forums and civic centers, but I do not want established in the District of Columbia again a complete organization for instruction of every sort and every kind. As I say, my amendment would give them more than 25 per cent to pay for the secretaries, organizers, and clerks. I am perfectly willing that a third of the amount shall be devoted to that purpose; but, in my opinion, that is all that it should be, and I hope the amendment to the amendment will be agreed to.

Mr. WARREN. Mr. President, the Senator certainly knows that the Committee on Appropriations would not assent to any such appropriation as he states—\$250,000. There is not the slightest intention nor the slightest hint from any quarter that the committee would do that. The committee amendment, of course, carries no additional appropriation. It really provides, in my judgment, for the reasonable expenditure of the present appropriation.

I have here a great amount of matter on this subject from the board of education, letters from the several members of the District government, a letter from Miss Margaret Wilson, and many others. I think as little as we can do in the case of the amount already appropriated—and which, as I said, is likely to be the last—is to let it be used in the direction of doing some good, rather than to tie it up so that it must be used in a direction where it would be of no particular account.

Mr. KING. Mr. President, will the Senator permit me to ask a question?

Mr. WARREN. Certainly.

Mr. KING. Why did the former Congress, in making this appropriation, limit the expenditure for this purpose to 25 per cent of the amount unless they intended that that was all that should be utilized for clerical and other services of that kind? Why should the committee now, in a deficiency bill, change the original purpose of the appropriation and divert the appropriation from the channel in which it was to be expended to some other? If the former Congress appropriated \$25,000 and limited the amount to be expended for employees to 25 per cent, what right have we now to change that?

Mr. WARREN. We placed the percentage as low as we did because we believed at the time that they would have to pay more for rental, and so forth. But those matters have been so arranged that they have continued in the same rooms, and other help has been contributed. This is to make the money go further and do more good.

Mr. KING. If the Senator will permit me, if we save some part of the amount which it was contemplated would be spent for rental, why may it not be covered back into the Treasury? Certainly it would be refreshing to find one appropriation not fully exhausted.

Mr. WARREN. It is very refreshing if the Senator thinks that any part of that will go back into the Treasury.

Mr. SMOOT. Mr. President, when the first appropriation was asked for community forums and civic centers the amount asked for was \$10,000, as I remember, and the committee was told that at no time would it ever amount to more than \$10,000. We have it up to \$25,000 now, and there was \$85,000 asked for. Have we forgotten that when we established the Children's Bureau it was stated upon the floor of the Senate, not only by one Senator but by a number, that at no time in the history of this country would it require more than \$25,000? To-day we appropriate around one-quarter of a million dollars.

Mr. President, we were told that if this community forum and civic center was established all that the Government of the United States would be asked to pay would be the actual expenses attendant upon it, and that public-spirited citizens would give their time freely for the purpose of directing its activities.

I suppose that many Senators were visited by the lady in charge of this work last year, and they will remember that she wanted the use of the grounds in front of the Capitol to give a pageant, and one of the reasons why she said she wanted to give it was that all the money that was appropriated had not been expended, and unless they gave the pageant the money would go back into the Treasury of the United States. The Senator from Colorado [Mr. THOMAS] suggests to me that that is a good reason for it. I know it is a reason that is followed by most of the departments of the Government.

I want the public-spirited citizens who wanted this forum and civic center created in the beginning to continue in the work they were so anxious to undertake and not throw this burden back upon the Congress of the United States. As far as I am concerned, I am perfectly willing to pay all of the expenses attached to it, and I am perfectly willing to pay the clerks who labor all the time to keep the accounts, but as far as anything else is concerned, Mr. President, if we undertake to carry out the program that is mapped out, I have not any doubt as to what the result will be in the end.

The VICE PRESIDENT. The question is on the amendment of the Senator from Utah [Mr. SMOOT] to the amendment of the committee.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. FRELINGHUYSEN. Mr. President, I notice that in one portion of the pending bill there is an appropriation for the International Industrial Congress, and in connection with that appropriation I wish to bring to the attention of the Senate what I believe to be one of the most important problems before the country to-day, the proposed bituminous-coal strike which menaces the country.

Mr. President, three weeks ago, on October 1, I made some remarks in the Senate regarding the threatened strike of the bituminous-coal miners. This was in connection with an informal report I made at the time concerning the work of a

subcommittee of the Interstate Commerce Committee, of which I am chairman, which has been investigating the coal situation.

In view of the desperate situation which menaces us, I deem it my duty to make some further remarks at this time, in order that the country may be advised, through this body, what the outlook now is and what a serious state of affairs is threatened on and after November 1.

An industrial calamity seems to be imminent in the United States. The stage has been deliberately set for this disastrous event by 400,000 men, over one-third of whom are foreign born, who can not speak the English language, and who have no acquaintance or sympathy with our institutions.

On September 23, 1919, the United Mine Workers of America, in convention assembled at Cleveland, Ohio, adopted a proposed wage scale, whose terms were embraced in a notable document of 13 sections. These were all set forth in my former remarks upon this subject. I shall now mention 2 only of the 13 demands.

First. A 60 per cent increase in wages.

Second. Establishment of a six-hour day and a five-day working week.

Through a committee these demands were presented to a like committee representing the bituminous coal operators of the central competitive district. This conference of the operators' and miners' representatives took place in Buffalo. Subsequent meetings have been held in Philadelphia.

At these conferences the representatives of the United Mine Workers of America have presented the ironclad demands of their convention. They have admitted that they were without power to change the terms proposed or in any sense to play the rôle of negotiators. They were, in effect, messengers only, to convey certain demands, and in default of an acceptance of the same the inevitable result would be that set forth in the twelfth of the 13 "points," to wit:

We recommend that in event a satisfactory wage agreement is not secured for the central competitive field before November 1, 1919, to replace the one now in effect, that the international officials be authorized to and are hereby instructed to call a general strike of all bituminous miners and mine workers throughout the United States, the same to become effective November 1, 1919.

In passing let me call attention to one remarkable phase of this controversy. The bituminous field of the United States is divided into four districts. The central competitive district comprises Illinois, Indiana, Ohio, and western Pennsylvania. The demand of the United Mine Workers has been presented only to the operators in that district. Nevertheless, in the event of the latter declining to accede to the demands of the miners a strike is to take place in all four districts, in spite of the fact that the operators in the other three districts have never had any demands or grievances presented to them.

I wish again to invite attention to the fact that the miners' representatives have presented certain drastic terms, which they apparently are without authority to alter or deviate from, while the representatives of the operators are vested with plenary power.

The United Mine Workers of America as an organization have achieved their present position in the world of labor through "collective bargaining." But where is there even a trace of "collective bargaining" in the proposal they have placed before the bituminous operators?

Mr. NORRIS. Mr. President, I wish the Senator would explain whether this demand for a 60 per cent increase, a six-hour day, and a five-day week applies only to that division where the complaint arises or does it apply to all the other three?

Mr. FRELINGHUYSEN. It applies as well to the other three. The demand is made for the entire field by the president of the United Mine Workers of America representing the entire group.

Mr. NORRIS. As I understand the Senator, there has been no demand with reference to wages or conditions in any of these groups except the one in which the demand has actually been presented and to which he is referring.

Mr. FRELINGHUYSEN. That is all.

Mr. KING. Mr. President, I did not quite hear the question of the Senator from Nebraska, but I understand if the strike should become effective it would spread throughout the United States, either directly or indirectly, through sympathetic striking or independent action upon the part of other organizations.

Mr. FRELINGHUYSEN. The contracts made between the miners and the operators relate to the several competitive fields. The demands are made by the president of the miners' union, controlling through the various locals all the competitive fields, and those demands, I understand, are made for all the fields in the United States.

Mr. SHERMAN. Mr. President, will the Senator permit an inquiry?

Mr. FRELINGHUYSEN. Certainly.

Mr. SHERMAN. This will result, will it not, directly in the cessation of mining in all the bituminous coal fields of the United States?

Mr. FRELINGHUYSEN. They will be entirely, absolutely, closed down except where there are nonunion mines, and those comprise about 25 per cent, I believe, of the entire production, which amounts to some 550,000,000 tons per year. I intend to point that out a little later in the course of my remarks.

The miners have come and have laid down their demands—their rigid, hard, and fast demands—and have said, "Here is what we demand; take it or leave it. Pay us a billion dollars a year more, trust in our ability to produce in a 30-hour week enough coal to keep your industries going and you from freezing, or we will close up the Nation as tight as a drum November 1."

Mr. McCORMICK. Mr. President, may I ask the Senator a question?

Mr. FRELINGHUYSEN. Certainly.

Mr. McCORMICK. The Senator speaks of a 30-hour week. The prevailing week has been how many hours?

Mr. FRELINGHUYSEN. Forty-eight.

Mr. KING. Forty-four hours in some places.

Mr. FRELINGHUYSEN. Yes; 44 in some places. Is that collective bargaining? To my mind the operators were right in refusing to grant these inordinate demands. What right have the coal producers of the country to saddle every man, woman, and child in the United States with a staggering tribute tax, such as the miners propose, and in addition gamble on the miners' ability to produce, in 30 hours a week, coal enough to keep American industries going and American houses from freezing?

Now, let us go back a little. Under the Lever Act of August 10, 1917, the United States Fuel Administration was organized. This act contained the following clause, being section 24:

That the provisions of this act shall cease to be in effect when the existing state of war between the United States and Germany shall have terminated, and the fact and date of such termination shall be ascertained and proclaimed by the President; but the termination of this act shall not affect any act done, or any right or obligation accruing or accrued or any suit or proceeding had or commenced in any civil case before the said termination pursuant to this act; but all rights and liabilities under this act arising before its termination shall continue and may be enforced in the same manner as if the act had not terminated. Any offense committed and all penalties, forfeitures, or liabilities incurred prior to such termination may be prosecuted or punished in the same manner and with the same effect as if this act had not been terminated.

Both the letter and spirit of this act are very clear.

After the passage of the Lever Act and the creation of the United States Fuel Administration, acting under the inspiration of Dr. Garfield, an agreement was entered into between the bituminous-coal operators and their employees whereby the scale contract of April 1, 1916, was modified and extended "during the continuance of the war, and not to exceed two years from April 1, 1918."

I may point out that this was the second increase of wages granted under the Fuel Administration. The increase for the first six months previously amounted to approximately 15 per cent, I understand. Then when six months had gone by, during the continuation of the war, they came again, and, through the instigation of Dr. Garfield, the coal miners and coal operators got together and made a new wage scale. I have that wage scale here, but I will not read it. That increase amounted to approximately 30 per cent, and the miners agreed to operate

the mines not less than two years beyond April 1, 1918, or during the continuance of the war.

Mr. THOMAS. That arrangement constitutes, does it not, what is generally known as collective bargaining?

Mr. FRELINGHUYSEN. I so understand.

Mr. THOMAS. Of what avail is collective bargaining if one party to the bargain may abandon it or repudiate it at pleasure?

Mr. FRELINGHUYSEN. Of no avail, I will say to the Senator from Colorado.

This language in the agreement should be carefully noted—"during the continuance of the war." The Department of Justice and the various Federal courts have repeatedly held that the war is not over, and will not be until the fact is duly proclaimed by the President, following a formal ratification of the treaty of peace. This has been universally held. The Lever Act, from which I have quoted, clearly sets forth this fact and this view of the law. Therefore the scale agreement referred to is in full force and will be until April 1, 1920, unless the President shall declare the state of war at an end following the ratification of the treaty of peace.

Now, this contract, entered into during the solemn days of actual hostilities, is to be tossed into the discard and treated, in true Kaiserian fashion, as a scrap of paper, unless the demands of the miners shall be acceded to.

The two chief demands, which I have already referred to, a 60 per cent increase in wages and the establishment of a six-hour work day and a five-day working week, together with certain auxiliary demands, would involve an increase of from \$2 to \$2.50 in the cost of each ton of bituminous coal delivered to the consumer. This would aggregate fully a billion dollars in the country as a whole.

Mr. POINDEXTER. What are the wages at present, if I may inquire?

Mr. FRELINGHUYSEN. Generally speaking, I understand they average from \$1,200 to \$1,500 per year for each miner. I think that is the average. I have the scale of wages here. It is approximately \$1 an hour.

Mr. POINDEXTER. At present?

Mr. FRELINGHUYSEN. Yes. That statement was made to me last night by the president of one of the operating companies.

I hold in my hand a carefully prepared table, which I shall ask to have printed in the CONGRESSIONAL RECORD in connection with my remarks. Based upon the figures of the United States Geological Survey of the bituminous coal consumption during 1917, I am able to show to what extent the people of the several States, the consumers of bituminous coal, will be penalized if the demands of the miners are granted. This is the annual cost to the public of the wage demands of the United Mine Workers of America in bituminous coal only, using the 1917 consumption figures and estimating the increased cost of production at \$2 per ton.

I should like to call attention of the chairman of the Committee on Interstate Commerce [Mr. CUMMINS], handling the very important railroad legislation, to the fact that the estimate of the Geological Survey of the increased cost to the railroads of the country on account of this demand of the United Mine Workers of America is \$300,000,000 per annum.

I ask that the table to which I have referred be printed in the RECORD.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Annual cost to the public of United Mine Workers of America wage demand, bituminous coal only, using 1917 consumption figures and estimating increased cost of production at \$2 per ton.

State.	Used at mines for steam and heat.	Used in manufacture of beehive coke.	Used in manufacture of by-product coke.	Used in manufacture of coal gas.	Used by electrical utilities.	Used for domestic purposes.	Used for industrial purposes.	Total coal consumed.
Alabama.....	\$1,283,466	\$7,317,196	\$7,960,486	\$181,772	\$599,932	\$1,302,000	\$4,262,980	\$22,907,832
Arizona.....					5,270	130,000	88,730	224,000
Arkansas.....	150,134				2,660	600,000	829,910	1,786,536
California.....	480				560	700,000	1,070,348	1,781,388
Colorado.....	608,981	3,569,262			244,988	2,900,000	6,406,358	14,760,078
Delaware.....					2,018	40,000	905,234	1,232,336
District of Columbia.....					14,380	500,000	602,794	1,734,000
Florida.....					66,334	180,000	294,060	605,000
Georgia.....	14,400	145,378			157,754	1,742,000	2,782,038	5,232,346
Idaho.....					16,342	600,000	623,352	1,242,936
Illinois.....	4,478,500		6,467,338		551,194	19,442,000	46,122,770	85,796,916
Indiana.....	1,285,102		9,635,884		336,676	7,000,000	18,682,678	41,118,266
Iowa.....	452,783				124,534	2,047,002	10,445,798	18,832,122
Kansas.....	370,928				9,456	3,600,000	2,689,178	7,521,648
Kentucky.....	1,279,954	1,199,252	1,484,324		29,518	3,728,000	3,932,686	12,826,906
Louisiana.....					6,460	740,000	2,577,110	3,644,896
Maryland.....	117,820		1,466,368		21,952	704,000	5,570,404	8,604,033
Michigan.....	95,930		2,440,060		1,475,748	5,948,000	16,877,076	29,800,522
Minnesota.....			1,353,762		1,478,966	5,274,000	4,765,760	13,072,406
Mississippi.....					21,814	667,670	1,512,516	2,706,000
Missouri.....	303,562		703,510		1,129,728	2,043,578	13,842,898	24,023,188

Annual cost to the public of United Mine Workers of America wage demand, bituminous coal only, using 1917 consumption figures and estimating increased cost of production at \$2 per ton—Continued.

State.	Used at mines for steam and heat.	Used in manufacture of beehive coke.	Used in manufacture of by-product coke.	Used in manufacture of coal gas.	Used by electrical utilities.	Used for domestic purposes.	Used for industrial purposes.	Total coal consumed.
Montana.....	\$335,408			\$24,074	\$212,668	\$1,770,000	\$1,791,670	\$4,133,820
Nebraska.....				2,178	1,022,728	2,850,000	3,048,778	6,923,684
Nevada.....					4,050	200,000	619,950	724,000
New England.....			\$1,477,746	1,786,976	5,781,466	3,310,000	24,062,548	36,408,774
New Jersey.....			1,243,398	251,460	2,200,896	180,000	9,839,262	13,715,016
New Mexico.....	72,898	\$1,872,822		3,606	86,906	350,000	605,762	2,891,994
New York.....			2,802,916	1,279,764	6,282,622	2,484,000	25,539,030	38,388,332
North Carolina.....				95,166	408,032	1,640,000	2,052,802	4,196,000
North Dakota.....	68,154			35,224	430,282	1,310,000	1,183,316	3,026,976
Ohio.....	1,522,064	449,904	10,282,092	61,330	7,213,786	9,800,000	46,689,936	76,019,112
Oklahoma.....	378,380			1,900	217,990	1,550,000	1,497,756	3,646,026
Oregon.....	11,008			7,922		450,000	747,626	1,216,556
Pennsylvania.....	6,999,454	73,189,126	11,432,442	521,486	4,972,572	3,672,000	60,440,140	161,227,220
South Carolina.....				11,860	354,276	960,000	1,026,884	2,356,000
South Dakota.....				4,680	371,224	1,140,000	658,102	2,174,006
Tennessee.....	329,396	1,391,682	127,586	142,256	805,650	2,422,000	3,745,466	8,564,036
Texas.....	98,710			30,136	829,790	1,300,000	2,730,498	4,989,134
Utah.....	172,256	1,340,984		70,662	19,150	1,630,000	1,198,892	4,426,946
Virginia.....	290,462	4,187,886		223,068	1,195,124	1,812,000	5,237,496	12,946,036
Washington.....	332,798	321,100	90,030	174,560	273,504	1,300,000	810,720	3,302,742
West Virginia.....	2,370,400	9,508,632	1,455,556	4,488	990,266	950,000	6,246,004	21,525,346
Wisconsin.....			2,588,000	573,794	1,644,738	5,064,000	7,233,004	17,123,536
Wyoming.....	540,882			5,982	340,206	500,000	120,720	1,607,790
Alaska.....							107,910	107,910
Miscellaneous—smelting.....							510,000	510,000
Total.....	24,234,318	104,493,224	63,011,518	9,919,394	63,385,444	114,208,000	352,731,878	731,983,776
Railroad fuel (in round figures).....								300,000,000
Grand total.....	24,234,318	104,493,224	63,011,518	9,919,394	63,385,444	114,208,000	352,731,878	1,031,983,776

Mr. FRELINGHUYSEN. Mr. President, do the Senators from Alabama know that the people of their State would be taxed \$22,000,000 to meet these demands? Do the Senators from Michigan comprehend that if the increase asked for were granted their constituents would have an enlargement of their coal bills to the extent of \$29,000,000?

Mr. THOMAS. Does the Senator's estimate include anything more than the actual increase in cost of production added to this wage scale, or does it also include an added profit which the operator would probably add to the price to the consumer?

Mr. FRELINGHUYSEN. It does not include an added profit. It is based entirely upon the present cost of production under the present scale and the proposed advance in wages.

Mr. MCCORMICK. What about reduction in hours and its influence?

Mr. FRELINGHUYSEN. That is taken into account. It also includes the increased cost by reason of the reduced production on account of a six-hour day.

Are the Senators from Missouri aware that the citizens of their State would be mulcted to the extent of \$24,000,000 in the event that the mine workers have their way? Do the Senators from New England realize that their States would be called upon to pay \$36,000,000 to the mine workers' union? Do the Senators from Ohio comprehend that the share their State would pay would be \$76,000,000? Are the Senators from Illinois aware that the United Mine Workers are demanding an annual toll of \$85,000,000 from the people of their State? And the Senators from Pennsylvania, are they cognizant of the fact that that Commonwealth will be called upon to contribute \$161,000,000 to the same organization? My own State is much smaller than those cited and the extent to which my constituents would be mulcted would be considerably less, yet they would be called upon to contribute \$13,700,000 to the coffers of the bituminous miners.

Are the people of the United States prepared to go down into their pockets and pay out \$1,000,000,000 a year in order that the United Mine Workers may have a 60 per cent raise in pay, work six hours a day, and that for only five days a week?

Are the people of the United States prepared to place any industry on a six-hour basis? In response to an insistent demand of labor agitators an eight-hour day has been legalized. What more do labor organizations want? If any such concession be made to the miners, how long would it be before like demands would be made by representatives of other trades, and what would the final harvest be?

All thinking men, all economists, all students of trade and sociological conditions as well, are demanding the highest degree of productivity at this time. The Great War withdrew twenty-five or thirty millions of men—probably more—from the ordinary fields of production, industrial and agricultural, and the world, economically, is all awry and normal conditions will not prevail for many years. It may take a decade or even a generation to get back to healthy, rational conditions in our domestic economy.

Yet here we have nearly 400,000 men insisting that over two days shall be dropped from the industrial calendar each week, while idleness shall take the place of activity and inertness the place of production.

We all recall the great coal strike of 1902. Prior to that the miners worked 19 hours. Indeed, at one time they had a 12-hour day. The celebrated conciliation and arbitration board, presided over by Judge George Gray, of Delaware, reached the conclusion that the miners' day should be reduced to nine hours, that being deemed a reasonable and proper working-day period. That was promptly acquiesced in at that time. Next came the demand for an eight-hour day, which was granted through congressional enactment.

And now comes this final demand for a six-hour day. Where will it stop? Production would in due course of time entirely end, the wheels of production would cease to revolve, and we would have chaos and disaster throughout the land.

A demand for a 6-hour day—for a 30-hour week—involves a 37 per cent cut in present working time. To my mind this means a 37 per cent cut in bituminous-coal production. And that in turn means but one thing, a coal supply so insufficient to meet the country's needs that the closed factories, the idle mills, the crippled industries, the unheated homes of our people, would bring about a shortage infinitely worse than that of the winter of 1917-18.

It is out of the question for the miners' terms to be granted. The demanded decrease in working hours would result in industrial disaster. The demanded increase in wages would impose a financial burden upon the consumer that he can not afford to bear.

What is the alternative which the American mine workers present to the people of the United States through the operators? The country is to be plunged into industrial chaos two weeks hence. Not a pound of coal will be supplied thereafter. Our factories and mills will be closed. Our public utilities, our railroads, will cease to function. The homes of those compelled by reason of locality to use soft coal will be deprived of all fuel. Pneumonia and other diseases will become widespread. Hunger and suffering of all kinds will prevail in many communities. Industrial America will be brought to a standstill, and paralysis will take the place of activity at a time when the highest degree of productivity should prevail.

And who are the men who have precipitated this state of affairs? Are they American citizens? To a very large extent they are not. A vast majority were born on foreign soil, and, as I have said, do not speak our language and have nothing in common with the dyed-in-the-wool American. Some of them have been naturalized, but between one-third and one-half of the entire number are still aliens and utterly lacking in all the elements which go to make up the patriotic American citizen.

Is the United States ready to be dictated to by these men? I have in my hand a letter written to me by the vice president of the National Coal Association. I asked him to give me the

percentage of aliens employed in the mines, and he writes me as follows:

NATIONAL COAL ASSOCIATION,
Washington, D. C., October 15, 1919.

Hon. JOSEPH S. FRELINGHUYSEN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Referring to our conversation this morning, I take pleasure in placing before you below the result of a canvass of the nationality of the employees in bituminous coal industry made by the National Coal Association in July, 1918. This canvass covered approximately 2,000 operating companies in practically every producing field in the country, and in our judgment is representative of conditions prevailing in the industry to-day.

The canvass showed:

Nationality.	Total employees.	Per-centages.
Americans.....	283,340	63.40
Foreign born.....	163,516	36.60
Total.....	446,856	100.00

Foreign-born employees, by nationalities.

Nationality.	Number.
Austria-Hungarians, including Slovaks, Ruthenians, Magyars, and Hortats (Croats).....	59,271
Bulgarians.....	545
Chinese.....	59
Danes.....	67
Dutch.....	105
Finnish.....	1,060
French.....	4,478
German.....	5,548
Greek.....	3,088
Italian.....	44,869
Japanese.....	412
Lithuanians.....	3,767
Mexicans.....	820
Montenegrins.....	590
Polish.....	16,801
Portuguese.....	25
Roumanians.....	740
Russians.....	9,944
Servians.....	1,282
Spanish.....	850
Syrians.....	131
Swedish.....	1,167
Turks.....	200
Miscellaneous.....	7,697
Total.....	163,516

Very truly, yours,

J. D. F. MORROW,
Vice President.

The time has come to put an end to this situation.

Mr. WATSON. Mr. President, if the Senator will yield to me, I desire to ask how many employees are there working in the mines?

Mr. FRELINGHUYSEN. Four hundred and forty-six thousand eight hundred and fifty-six.

Mr. WATSON. That number includes both Americans and aliens?

Mr. FRELINGHUYSEN. Both Americans and aliens.

Mr. WATSON. Does it include both anthracite and bituminous coal miners?

Mr. FRELINGHUYSEN. No; the number has reference simply to bituminous coal miners. There are about 185,000 anthracite coal miners, I think.

Mr. WARREN. Mr. President, may I inquire what area the number of 446,000 referred to by the Senator from New Jersey covers?

Mr. FRELINGHUYSEN. That covers all of the bituminous coal mines located both in the East and the West.

Mr. WARREN. Then it covers altogether both the East and West?

Mr. FRELINGHUYSEN. Yes; the entire area.

Mr. WARREN. Will the Senator allow me to have read, if it will not interrupt his remarks, two telegrams which I have just received, coming from the largest coal corporations in Wyoming, which are mining vast quantities of bituminous coal?

Mr. FRELINGHUYSEN. I yield.

Mr. WARREN. I ask that the Secretary read the telegrams that I send to the desk.

The VICE PRESIDENT. Without objection, the Secretary will read as requested.

The Secretary read as follows:

KIRBY, WYO., October 20, 1919.

Senator FRANCIS E. WARREN,
Washington, D. C.:

Wyoming coal operators have had no voice in wage controversy with miners. Please use your influence with Secretary of Labor Wilson so that negotiations will not be settled or adjourned without we are represented. As matter now stands, the negotiations have all been with eastern coal producers, and the western operators are being forced into a position without representation.

NORTHERN WYOMING COAL OPERATORS' ASSOCIATION,
C. A. BARNARD, Secretary.

CHEYENNE, WYO., October 20, 1919.

Senator F. E. WARREN,
Capitol Building, Washington, D. C.:

Please, if possible, see Secretary of Labor Wilson and advise him that southern Wyoming coal operators do not feel there is any justice in any settlement made in the East with coal miners to which we are made a party without representation. We stand ready to meet representatives of the miners from our district in conference to negotiate a wage scale at any time. Do not want to be tied or bound by any agreement made in the central competitive field.

P. J. QUEALY,
W. D. BRENNAN.

Mr. WARREN. I simply wish to say that information comes to me, not only from these dispatches but from other sources, that there is no controversy in the mines of Wyoming; and the miners there seem to have been excluded from participation in the conference in connection with the proposition made by certain representatives of labor in the eastern section of the country.

Mr. KENYON. Mr. President, may I ask the Senator a question?

Mr. FRELINGHUYSEN. I yield.

Mr. KENYON. I understood the list read by the Senator included the number of foreigners employed in this industry. Were they all unnaturalized?

Mr. FRELINGHUYSEN. Yes; the number indicated were unnaturalized aliens.

Mr. WATSON. Mr. President, I should like to ask the Senator if the threatened coal strike embraces also the anthracite fields or only the bituminous fields?

Mr. FRELINGHUYSEN. It does not embrace the anthracite fields. The anthracite miners and operators have settled their differences and their contract continues until the 31st of March, 1920.

Mr. THOMAS. Mr. President, I have received quite a number of telegrams of similar import to those placed in the Record by the Senator from Wyoming [Mr. WARREN] and coming from operators in my State. There has been since the troubles of 1914 no difficulty in the mines of Colorado, but they are involved in the present situation, and, whatever the result may be, they will be affected by the conditions that will prevail after the 1st of November, notwithstanding their nonparticipation either in the so-called demands of the miners or in the proposals of compromise.

Mr. FRELINGHUYSEN. Mr. President, that is one of the difficulties in the situation. The president of the union can order this strike and will order it in the fields where there are no differences between the operators and the employees.

Mr. CHAMBERLAIN. Mr. President, may I interrupt the Senator for just a moment?

Mr. FRELINGHUYSEN. Certainly.

Mr. CHAMBERLAIN. The Senator has given the number of aliens who are now engaged in this industry. Can the Senator state what the relative proportion between Americans and foreigners was at the time of the strike of 1902 and whether there has been any considerable change in the relative proportions from that time until this?

Mr. FRELINGHUYSEN. I have the Gray report in my desk, but I have not read that portion of it, and I do not know. I know that the present radical influence which is being exerted in the union mine workers' organization comes principally from the foreign element.

Mr. NORRIS. Mr. President—

Mr. FRELINGHUYSEN. One moment, until I finish. I understand that the older mining men, the men with families and children, who have been employed in the mines for many years, are not the trouble makers; that they stay at home and are law-abiding citizens. When the local unions have their meetings the men that come are the foreign element, who are very radical and very pronounced in their demands. The old, conservative miner is retiring and naturally stays away from the meetings. That is what happened in the convention at Cleveland. I understand the radicals controlled it and presented these demands, which were in the nature of an ultimatum. I understand that there is to be no referendum, and although Secretary Wilson informed the Senate committee that there could be a referendum, I understand there is not and will not and can not be a referendum to the miners. I now yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, I was impressed by what other Senators from coal-mining States have said, and also by what the Senator from New Jersey has said, that the difficulty comes only from one district. Now, the Senator is assuming all the time—and he may, of course, be right—that when the strike is called all the other districts in which there has been no dispute in regard to wages or any other question will strike the same as the miners in the district where the dispute has arisen.

Mr. FRELINGHUYSEN. Certainly; the order has gone out to strike.

Mr. NORRIS. Does the Senator think that the miners in other sections and States where there is no dispute will obey the order to strike?

Mr. FRELINGHUYSEN. I do.

Mr. THOMAS. There is no question about it. If the Senator from New Jersey will permit me, the Colorado Fuel & Iron Co. operates the largest steel mill west of the Mississippi River. They had no difficulty whatever with their men and conferences were granted as rapidly as they were asked. Not a single grievance was presented that was not met and considered. Notwithstanding that fact, when the call for the steel strike was issued, 6,500 men walked out; they are out yet; and, for the first time in 30 years, those great mills are absolutely silent, although the employees have no grievance and no difficulty whatever.

Mr. NORRIS. The Senator thinks, of course, from that that the same condition will be brought about in the event the coal strike takes place?

Mr. THOMAS. There is no question about it, in my judgment.

Mr. SHERMAN. Mr. President—

Mr. FRELINGHUYSEN. I yield to the Senator from Illinois.

Mr. SHERMAN. In Illinois there are approximately 100,000 bituminous-coal miners, and my information from that area is that practically all of them will go out on strike. When they will return, or how long they will stay out, no one can tell.

Mr. WARREN. Mr. President, my judgment is that the same thing may happen in Wyoming, because it has twice before happened. In one instance there was hardly a man employed by a concern numbering its employees by the hundreds, and in another case by the thousands, that did not go out. It amounts to this, that when an order goes out from labor headquarters to strike, the members of the union who refuse to obey the order are punished, being liable to a fine and, of course, to expulsion from their union.

Mr. TOWNSEND. Mr. President—

Mr. FRELINGHUYSEN. I yield to the Senator from Michigan.

Mr. TOWNSEND. I think another thing that ought to be understood by the public, if the Senator from New Jersey has not already made it clear, is that this coal strike was practically ordered before any attempt had been made to harmonize any existing difficulties between employers and employees. No demands had been made and no call for a conference had been asked. They met in convention, directed their representatives to make certain demands, and if those demands were denied to strike. That is the situation—a most unusual condition—and I think the country ought to understand it.

Mr. POMERENE. Mr. President—

Mr. FRELINGHUYSEN. I yield to the Senator from Ohio.

Mr. POMERENE. I regret that I was not able to hear the first part of the speech of the Senator from New Jersey [Mr. FRELINGHUYSEN], but I think every Senator is impressed with the importance of this subject. The remarks which have just been made by the Senator from Michigan [Mr. TOWNSEND] made me feel that, perhaps, I ought to call attention to this situation: I have been told, and I believe reliably, that when the delegates met in convention in Cleveland these demands were presented to the convention, a resolution was passed instructing their committee to present them, and they were directed to report back to the convention. Ordinarily in disputes between operators and miners, a referendum may be had at which the miners are privileged to cast a secret vote, but under the plan which was adopted by the delegates in this case the miners themselves will have no privilege of voting upon these demands. I have been informed that in my own State of Ohio there are 45,000 miners, and that if they were granted the privilege of a referendum vote these demands would be overwhelmingly defeated. I am constrained to believe—and I base this belief upon information which I think is reliable—that this is not a miners' strike, but is a strike by the officers and delegates of the miners.

This situation is so serious that it seems to me if there is any way by which the Congress of the United States can reasonably prevent the calamities which will befall the country in the event the strike takes place, Congress ought to act. In my own State alone, with a population of over 6,000,000 of people, where we have an abundant coal supply, though much of the coal which is used in our industries comes from Pennsylvania and West Virginia and Kentucky and Tennessee, it is appalling to think that 6,000,000 of people must be compelled to freeze, the wheels of industry stop, and transportation cease because these demands are made by the officers and the delegates to a convention, and

the miners themselves have no opportunity to register their voice. That is the situation as I see it.

Mr. WATSON. Mr. President, will the Senator yield?

Mr. FRELINGHUYSEN. I yield.

Mr. WATSON. The Senator from Ohio has very well expressed the alarming condition and the attendant circumstances. He says that if Congress can do anything to prevent that situation, Congress ought to act. What has the Senator in mind as preventive legislation?

Mr. POMERENE. Mr. President, I have nothing in mind. I am not a member of the subcommittee that has been studying this situation; but I have this in mind which the press and public men generally can do, and that is to call the attention of every man, woman, and child in the country to the peculiar situation, and I think we are safe in saying that this strike as ordered has not been authorized by the miners themselves, or if authorized they would not ratify the action of their delegates if they had an opportunity to vote upon it.

Mr. KNOX. Mr. President—

The VICE PRESIDENT. Does the Senator from New Jersey yield to the Senator from Pennsylvania?

Mr. FRELINGHUYSEN. I yield to the Senator from Pennsylvania.

Mr. KNOX. I should like to inquire of the Senator from Ohio what his opinion would be of a proposition of this sort: Could or could not Congress constitutionally make it a criminal offense to promote a strike that would interfere with commodities that pass through the channels of interstate commerce without first having a referendum to the men who are actually interested?

Mr. POMERENE. Mr. President, the Senator is a better constitutional lawyer than I am. I can see serious difficulties, as I think. I am disposed to think, since the Senator has suggested the question, that while we are legally at war there is perhaps some provision among the provisions of the fuel legislation which we passed a couple of years ago which might authorize the Federal Government for the time being to take control of the situation. I do not know. I have not studied that question sufficiently to say.

Mr. WARREN. Mr. President, will the Senator from New Jersey yield to me to ask the Senator from Ohio a question?

Mr. FRELINGHUYSEN. I am perfectly willing to yield.

Mr. POMERENE. I apologize to the Senator for taking so much of his time.

Mr. FRELINGHUYSEN. I do not want to interrupt this discussion, because this is the most important matter that this Congress can have before it, next to the treaty of peace; but I do want to finish pretty soon. I yield, however. I know how valuable this discussion is, and I yield to the Senator from Wyoming.

Mr. WARREN. I simply wanted to make this inquiry, and I hope this observation may be noted.

We have here in this appropriation bill the following item:

Enforcement of antitrust laws: For the enforcement of antitrust laws, \$200,000.

As it came from the House, the item excludes from the operation of the antitrust laws labor unions and farmers. So far as the farmers are concerned, I do not understand that they ask for it; but I want to ask the Senator from Ohio, if he may be permitted to answer me "yes" or "no," whether he does not think that the present threat and the present situation as described by the Senator from New Jersey amount to a trust, a conspiracy in restraint of trade, and so forth? Shall we go on in every appropriation bill appropriating money for carrying out the trust laws and excepting certain classes of people, or shall we repeal the trust laws?

Mr. POMERENE. Mr. President, we have section 6 of the Clayton bill confronting us, and I never have made it a practice to give an offhand opinion on a legal problem. I do not think it avails very much; but I shall hope that out of this discussion will grow a solution of a very serious situation. I can not understand what humanitarian principles prompt a few men to say in the great Republic of the United States: "We have got you by the throat. We are going to make your wives and babies freeze unless you surrender." I do not believe in that kind of autocracy, and the country will not tolerate it.

Mr. FRELINGHUYSEN. Mr. President, the impending strike was considered by the subcommittee of the Interstate Commerce Committee investigating the production of coal. We held several meetings to decide whether or not we should call Mr. Lewis, the president of the bituminous mine workers, whether anything could be offered to the controversy in that way. The demands are so drastic, so impossible, that all we could do would be to point out to the president of this union

that it was his duty to keep the contract. However, we asked the Secretary of Labor to come to a conference of the committee, and he came. I think I am at liberty to state that he also agreed with us that there was a legal and binding contract, and that the demands were impossible. He stated to us that he intended, through certain powers of mediation which he has, to call before him the mine operators—and I understand that that includes all of them—and Mr. Lewis, and attempt to adjust the differences.

That meeting was convened at 11 o'clock this morning, and from information which I had previous to its assembling I very much despair that out of the conference will come any agreement. The mine operators are perfectly willing, upon recognition of this contract, to negotiate a new wage scale, but they are unwilling to grant a six-hour day or a five-day week or a 60 per cent advance. In a proper discussion of the differences in regard to the wage scale they are perfectly willing to enter into the question of the increased cost of living as compared with the increased wages paid their miners; and I understand that the Secretary of Labor has admitted that in the last wage scale granted by Dr. Garfield, which he now states is sufficient, and also states that that contract is binding to April 1, 1920, the Secretary of Labor admits that the wages had advanced beyond the increased cost of living.

Mr. POMERENE. Mr. President, if the Senator will pardon me, I think the statement just made is subject to this qualification, that this wage scale shall continue until April 1, 1920, unless peace is sooner declared.

Mr. FRELINGHUYSEN. Yes; during the continuance of the war. I have already mentioned that in my previous remarks.

Mr. President, I have here the invitation to Mr. Thomas T. Brewster, chairman of the coal operators, from the Secretary of Labor, asking him to meet with Mr. Lewis in order to see if these differences can not be composed. I will ask that it be printed in the RECORD, and not read.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF LABOR,
OFFICE OF THE SECRETARY,
Washington, October 17, 1919.

Mr. THOMAS T. BREWSTER,
Chairman Coal Operators of the
Central Competitive Coal Field, Washington, D. C.

DEAR SIR: The impending labor dispute and possible strike in the bituminous coal fields of the United States is of vital importance to all of the people. As the executive officer of the Government intrusted with the function of mediation in such disputes, I feel that nothing should be left undone that may give hope of an amicable adjustment of the differences existing between the operators and miners. I realize the difficulties to be overcome and give full weight to the statement of the coal operators that certain assurances relative to carrying out of existing contracts, the rescinding of the strike order, and the withdrawal of a demand for a shorter workday must be given by the representatives of the miners before negotiations can be renewed, and the statement of the miners that there must be a disposition to really negotiate on the part of the operators before it would be worth while for them to go into conference. I am sure, however, that there can be no objection on the part of either side to meet with the Secretary of Labor for the purpose of discussing with him all of the matters involved in the dispute.

I would therefore invite, through you, the full scale committee of the coal operators of the central competitive coal field to meet with me at my office in Washington at 11 a. m., Tuesday, October 21, 1919, for this purpose. I am sending a similar invitation to the full scale committee of the miners through their acting president, Mr. John L. Lewis.

Trusting that you may find it possible to comply with this request, I am,

Respectfully, yours (Signed) W. B. WILSON,
Secretary of Labor.

Mr. FRELINGHUYSEN. I also have the reply of Mr. Brewster to the Secretary of Labor. I ask that the reply be read for the information of the Senate.

The VICE PRESIDENT. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

WASHINGTON, D. C., October 17, 1919.

Hon. W. B. WILSON,
Secretary of Labor, Washington, D. C.

DEAR SIR: As chairman of the coal operators of the central competitive field, I am instructed to make the following reply to your suggestions that negotiations between the miners and operators be resumed. The coal operators assure you that they are willing to comply with your request, but the resumption of such negotiations should be predicated upon the following:

First. The miners must indicate their willingness to carry out the existing contract, which contract H. A. Garfield, United States Fuel Administrator attests is still in effect, to its legal termination.

Second. To do so the present strike order, effective November 1, must be rescinded and work must be continued pending negotiations.

Third. In order to produce sufficient coal for the needs of the public at the lowest possible cost, we refuse to negotiate any reduction in the hours of labor below the present standard, eight hours per day, six days per week.

As pertinent to the questions involved, the operators deem it advisable to say that the coal operators of the central competitive field have ad-

hered to the principles and practices of collective bargaining for 33 years with the largest body of organized labor in the United States, and it is our opinion that our scale negotiations have broken down and that our contract has been abrogated by the miners' union in their call for a strike November 1, because the present system of collective bargaining does not fix equal responsibility under the law upon the employer and the labor union.

Our experience teaches us that no set of employers should agree to a system of collective bargaining which does not make both parties to the contract equally liable and responsible for the observance of the terms of such contract.

Respectfully,

THOS. T. BREWSTER, Chairman.

Mr. FRELINGHUYSEN. Mr. President, one of the claims of the president of the miners' union is that the war is practically over, that the mine operators have made extortionate profits, and he points to the statement of the Federal Trade Commission, based on costs for 1917-18, and states that the mine operators have been making 60 cents margin per ton profit. That is correct as far as it goes, but it does not take into account certain items which largely reduce the net to the operators. In Federal Trade Commission report, Bulletin No. 1, speaking of this margin, it is said:

This margin must not be confused with what is often called profit. Selling expense, interest, income, and excess-profits taxes, as well as other items, must be deducted from it before the net profit available for dividends or surplus can be determined. The margin necessary to a profitable operation varies greatly from operator to operator and from field to field. One operator may have a heavy investment in mining machinery and thus show a relatively low labor cost, while another operator may have a small investment but a high labor cost. In the case of the first operator the margin obtained should be larger in order to give an equal rate of remuneration on the larger amount of invested capital.

I understand that reference has been made to the western Pennsylvania field, and that the profits of the operators there were approximated to net about 10 to 15 cents per ton.

Speaking again of these demands, unless this intolerable condition can be rectified; unless some means can be found to prevent the imposition of such unthinkable demands and penalties; unless collective bargaining can be continued in an orderly manner and with due regard to the public welfare and comfort, a new remedy must be applied—the remedy of making labor amenable to the same extent as capital to the laws of the United States, hedged around by the same restrictions and subject to the same penalties.

I do not think the American people are opposed to trade-unions or to any kind of organization of workmen whose object is the betterment of their conditions.

The principle of collective bargaining is proper enough in the abstract, and also proper enough in the concrete, when applied to the employer and his employees. There should be no objection to the demand of the latter that they as a body, or through a committee, be called into consultation and conference regarding the question of wages and kindred matters.

But American employers should not be placed in subjection to any outside organization whose officers and dominating spirits are not identified with or in the service of the particular business concern in question. That is not democracy.

Allied to this is the open-shop proposition. While no employer should attempt to prevent his employees from joining any sort of an organization they please, they should never agree to close their shops to nonunion men. That, also, would be a repudiation of the essential principles of democracy.

In this connection, while speaking of the open shop, I take pleasure in quoting a very distinguished authority, none other than President Wilson, before his elevation to the White House, but then an eminent educator and historian.

Writing January 12, 1909, in reply to an invitation to speak at a banquet of antistrike and antiboycott advocates, he said:

I am a fierce partisan of the open shop and of everything that might be possible for me to contribute to the clarification of thinking and the formation of right purposes in matters of this kind.

That was a fine presentation of a fundamental proposition. Upon such a question the truly patriotic American can afford to be a "fierce partisan."

In collective bargaining it is pertinent to ask, Of what avail is a bargain if it is not enforceable at law? Of what avail is an agreement with men who break agreements? In the case of the printers' strike in New York strong local unions defied their officers. So, too, the boatmen tied up the whole food supply of New York in violation of their agreements. I read Mr. Gompers's letter, denouncing the breaking of contracts, addressed to the leader of the labor organization directly involved:

DEAR SIR AND BROTHER: Your telegram, in which you state members of your organization are on strike against an award of the National Adjustment Commission, received. The executive council in session in Washington considered this telegram and decided:

That it is not in the province of the executive council to inject itself into a strictly trade struggle between factions in a national or international union. The dispute should be solved by those who have the power to enforce its rules and decisions.

SACREDNESS OF CONTRACTS.

But on the question of adherence to contracts the American Federation of Labor has taken strong grounds. In 1904 the convention declared unanimously: "We wish in the strongest language possible to express our regret that any organization of workmen should fail to rigidly adhere to a contract entered into with employers of its members, and we believe it essential to urge upon trade-unionism the absolute necessity of holding contracts between them and their employers inviolate."

If the longshoremen agreed to abide by the award they have been striking in violation of one of the fundamental principles of the American Federation of Labor. The agreement to abide by the award was a sacred contract to accept it.

We therefore hope that, through laws of your international union, you will successfully induce the strikers to return to work, not only for their own honor and best interests but in the interest of the trade-union movement.

By order executive council, American Federation of Labor.

SAMUEL GOMPERS, President.

Note what Mr. Gompers says. He condemns in the severest terms the breaking of contracts and upholds the sacredness of contracts. Every right-minded American must be in accord with him in that proposition, but in the first part of his letter he states that the executive council decided—

That it is not in the province of the executive council to inject itself into a strictly trade struggle between factions in a national or international union. The dispute should be solved by those who have the power to enforce its rules and decisions.

A battle over fundamental principles of right and wrong, between agreement keepers and contract breakers, Mr. Gompers denominates a "struggle between factions," and he confesses himself and his organization powerless to right the existing wrong or to compel the recalcitrant strikers to keep their contracts.

This is the issue that we must face. We are forced to insist that collective bargaining shall be coupled with collective responsibility, legal and moral, and that when employers make a contract with their employees the powers of government shall be put behind that agreement with the same force and effect as it is put behind any agreement that is entered into for lawful purposes.

I noticed in the Washington Post this short article on collective bargaining:

COLLECTIVE AGREEMENT NOT BINDING, HAT MAKERS SAY.

NEW YORK, October 18.

A statement asserting that "collective agreements are nonoperative" was issued to-day by the Ladies' Hat Manufacturers Association in view of reports that the main question before the industrial conference at Washington is the collective agreement.

The statement asserted that for four years agreements which the association had made with the Cap and Hat Makers' Union of North America had been broken at will by their employees, and that the union leaders who signed the agreements asserted they had no control over the workers. A general strike is now in progress in the industry.

One of our ablest newspapers of the country, editorially speaking, the Philadelphia North American, in a recent issue said:

Three years ago a severe blow was administered to the principle of arbitration and also to the doctrine of the predominating rights of the public in industrial controversies. In the late summer of 1916, when the Nation was in the ominous shadow of approaching war, the four great railroad brotherhoods presented drastic demands and announced that they would be enforced, if necessary, by a Nation-wide strike. President Wilson, concerned for his campaign for reelection, intervened in the name of the public. But when the brotherhoods refused to withdraw their ultimatum he yielded and forced through Congress a bill embodying their demands, without any effective inquiry into the facts. The railway workers, as one of their leaders candidly avowed, had employed an adaptation of the ruthless methods of the cave men, and their victory over the Government was hailed by them as a justification for their policy.

I seriously object to the United States Government being forced into partnership with any class of our citizens. If we expect to survive and continue our career as the greatest Republic on the earth, we must adhere to the doctrine that all class alliances shall be prohibited; that this shall be a Government of the whole people, and not one in which any section or faction or industry or class shall exercise a dominating influence.

What was the situation when we entered the arena of war? Why were the railroads taken over by the Government? Because they had broken down? Nothing of the sort. Look back over the newspapers of the day and you will recall the threat of a Nation-wide strike by the trainmen—a threat which, if it had been carried into effect, would have paralyzed all our transportation facilities, plunged us into chaos, and made it utterly impossible to carry out any of our war plans.

When the railroads were taken over what was the first step? Rates were raised a billion dollars. What was the second step? Wages were raised a billion dollars. And who paid the bill? The question answers itself—the people, of course.

The demand of the trainmen was followed by that of the ship workers. Ten thousand struck in one yard. Fifteen thousand in another followed suit. With the Allies in dire peril and entirely dependent upon the speed with which we would come to their rescue, and all this contingent upon the vastly

increased output in our shipping facilities, these men went on strike, thus imperiling the cause of democracy and civilization in its battle with the barbarous war lord and his diabolical henchmen.

Not until their demands were granted was work resumed in the shipyards and the work of tonnage production continued.

And thus it went on, one trade or industry after another making its demands for greatly increased pay and shorter hours, with never a thought of the consequences to this country or to the world at large and never an atom of sympathy with the splendid efforts of our soldiers in France to defeat the machinations of the despicable Huns.

What is the industrial and economic situation in America to-day? We have a state of semiparalysis in the steel industry, through the action chiefly of a lot of foreigners who saw fit to strike, although they already were receiving very high wages. Only a few days ago in Pittsburgh, if the newspapers give us correct information, certain of the malcontents themselves testified before Senator KENYON's committee that from 50 to 75 per cent of the strikers were foreign born.

We have the strike of the longshoremen, which has held up practically all our shipping and brought almost to a standstill trade with foreign ports, involving an incredibly large pecuniary loss, not to mention a tremendous food loss in New York City. At the same time we had the strike of the pressmen already referred to, the result being, likewise, a serious financial loss in many quarters.

And so it goes. Where will the striking frenzy stop? What will the harvest be? Unless a halt is called we shall reach a state of anarchy infinitely worse than the autocracy which the German Junkers sought to impose upon the world, and for the defeat of which America entered the war.

I am not an alarmist. I have an abiding faith in the American people. But I try to be a student of history, and especially of current history. Furthermore, I am not blind. There is abroad in the world a spirit of evil—Bolshevism—which is the twin brother of autocracy, in that both are enemies of pure democracy. And this spirit is more deeply seated in America than most of us are aware.

Autocracy simply meant the assumption of large powers by an individual or a clique, with the welfare of the masses a subordinate consideration. That stifled democracy. Nevertheless, autocracy, for selfish reasons, perhaps, was oftentimes paternalistic to a degree that the interests of the populace were largely conserved and promoted.

Bolshevism, like autocracy, is the antithesis of democracy. Bolshevism, as practiced in Russia, is confined to the proletariat, only a minority of the population, but embracing the rolling-stone elements, the irresponsible citizens. These oppose not only the old, exceedingly small monarchic group, but that great mass of citizens known as the bourgeoisie, embracing millions of the middle class—merchants, farmers, home owners, and well-to-do mechanics. These, according to the tenets of the Bolsheviks, must be excluded from all participation in government, being deprived even of the right of suffrage.

This is class government, and not democracy. This tendency toward Bolshevism in some form, either closely following the original Russian model or developing milder symptoms, is found in every nation of the earth, and this evil force is a far greater menace to the perpetuity of democratic institutions than the average citizen imagines. It is rampant in Germany. It is powerful in France. It is untiringly at work in Italy. Its activity in Great Britain is pronounced.

He who thinks we do not face this great menace at our very doors is not a truly wide-awake American. He is a sleeping sentinel at the post of duty.

The danger in America to which I refer does not come, in the main, from the un-American elements in our population who have planned and executed bomb explosions and similar manifestations of the anarchists. That element is, unfortunately, too large, and has been given entirely too much latitude in the past. But these men can be located by the authorities and placed where they shall be harmless.

But there is a determined movement throughout the land to assume control of all the functions of government in behalf of a class. They would make this a class government committed to the enactment of class legislation.

But I protest against any class organization in America being taken into official partnership with the Government of the United States, such as has prevailed for the last few years in Washington, and especially since our entrance into the war. We have come to the parting of the ways.

To Americans as a whole let me say: Abhor and resent class organization which seeks to control government in the interest of that class. In self-defense you may be compelled to organize to protect yourselves from a state of affairs which means vas-

salage for you and all those not subservient to the leaders of the movement to which I refer.

The people of Great Britain have just faced a grueling experience of a like character, and they have come off victors in the struggle which ensued. The very foundations of society, of government, were threatened. Only by a hair's breadth was a revolution averted.

The railway men made demands which could not be recognized. As in the case of the threatened coal strike, the conflict in England was started precipitately and in violation of an agreement. One authority described it as "wanton war on society" and "an effort to starve the country into submission," "an unparalleled attempt to blackmail the nation."

Another authority said, "Whatever is done for the railway men must come out of the pockets of the people. Everyone should be paid a fair rate, but you can not continually pay men for what they do not do. In the present case they are demanding to be masters and to determine the fate not only of the Government but of the whole community."

Speaking last February, when the miners of Great Britain threatened to strike, Lloyd-George denounced in Parliament "demands which are put forward not to obtain fair conditions, but to overthrow the existing order, to destroy the Government," and declared that "the nation must fight Prussianism in the industrial world exactly as we fought it on the continent of Europe."

Speaking two or three weeks ago at the reception to Field Marshal Allenby, at the Mansion House, the British premier employed almost the same language when referring to the strike of the railway men. He said:

Prussianism in the industrial and economic world must not prevail. Great Britain has once more rendered a deep and lasting service to real freedom by defeating an effort to hold up the community and strangle it into submission. The nation means to be strong, firm, and just, but always master.

We can not afford to temporize or compromise with the forces of evil which are threatening to undermine the foundations of society and destroy the fundamental methods of our Government. We can not afford to submit to any partnership with a class. We must not allow any element or organization to assume any of the functions of government or to dictate to either Congress or the Executive.

There has been entirely too much of this in the past. Public men have shivered and shaken in their boots when agitators have issued their orders, and, in innumerable instances, have ignored their own sense of duty because of a fear of consequences. The time has now come for every red-blooded American to stand up and be counted.

So far as concerns this threatened strike of the bituminous coal miners, there is only one way to avert it. It can not be done by Executive decree nor can any action of Congress prevent the consummation of the conspiracy.

Public opinion, however, may bring the leaders of the movement to their senses and thus the calamity may be averted. To this end it is hoped that the patriotic newspapers of the country will at once speak, and in no uncertain terms. To a large extent the matter is in their hands. Already many of them have denounced the proposed strike. The press should not wait until the strike is upon us and the disaster at our gates before speaking.

Recently, following the inexcusable strike of the Boston police force, the papers of that city, almost without exception, denounced the action of the strikers in unmeasured terms. On this point the Springfield Union said editorially:

Our only criticism of these sound observations is that something in similar vein was not said when the policemen were most in need of advice and when Commissioner Curtis should have received the uncompromising support of public opinion. It was too long left to the Transcript alone to express with courage and clear understanding the honest thought of Boston and to uphold the correct public policy for which the police commission was contending.

Concerning this whole question the Philadelphia North American, which has always been a friend of organized labor and a champion of Mr. Gompers, has recently said editorially:

There is a perceptible and growing public antagonism to organized labor. The condition is known in every newspaper office in the country, but the aggressive and dictatorial attitude of union labor, upon which most newspapers must depend, has made publishers cautious in discussing labor problems. At the present time, however, when conflicts in industry are multiplying, the newspaper which resorts to silence or evasion fails in its duty to the public and does a distinct disservice to labor itself.

These are brave words and as true as they are brave.

It is a satisfaction to note that many other leading newspapers of the United States are denouncing in vigorous terms the attempts of certain unions to sandbag the country. The New York World has recently published several powerful editorials which contain words of warning to misguided labor leaders. In its issue of October 9 it said:

Before organized labor can hope to make further progress anywhere it must put its own house in order. The whole structure of collective bargaining rests upon the principle of collective responsibility and collective good faith. Once these are destroyed nothing remains.

While taking a firm stand itself editorially upon this supreme question, the World justly calls upon Government officials to be equally positive and determined in upholding popular rights and in demanding a proper consideration of the public welfare at the hands of labor leaders.

The World quotes from the speech of Secretary Wilson in opening the sessions of the industrial congress, who said:

We have found ways of regulating all the other relations of mankind. Surely human intelligence can devise some more acceptable method of adjusting the relationship between employer and employee.

And adds:

It might, but it does not, and it never will until the Government, under the pressure of public sentiment, takes the initiative and asserts some of the power that is inherent in it.

The press of the country should make it clear to these misguided men of the United Mine Workers that the people of America will never permit this burden to be saddled upon them, and that they will never submit to any such demands as they have made—demands which threaten the very foundations of our democratic institutions. This country is not ready to be dictated to by a horde of aliens in no sense Americanized nor in sympathy with our democratic institutions.

In this whole labor controversy one fact should be clearly borne in mind. We are not chiefly concerned regarding the interests of capitalists, the employers, the operators. Nor are we giving undue consideration to the welfare of the individual worker, the miner, or other laborer who is disposed to strike. But we are greatly interested in the material welfare of the vast body of our people, the middlemen, so to speak, the consumers—in other words, the men who "pay the freight"—upon whom falls the great burden resulting from the continual increase in wages. These men know perfectly well that this increase must be made up by an increase in commodity prices, and that it is the individual consumer who foots the bill in the final analysis. These men, nine-tenths of our population—one hundred millions—are disgusted, are incensed with the whole proposition, and are determined that the arbitrary demands imposing an unjust and intolerable burden on them shall not succeed.

A bit of verse in a local paper, the Washington Evening Star, properly diagnoses the situation, as follows:

THE PUBLIC.

Says capital to labor,
"We will talk it over, neighbor,
And the public shall admire the wisdom deep."
Says labor, "I am willing,
For my mind I have been filling
With some information far too good to keep."
They argued and expounded,
And each topic they surrounded
With a vast and indefatigable din.
Here and there they grabbed a missile
Silencing the factory whistle,
And the public murmured, "Where do I come in?"
Then the discord rising thickly
Turning the harmony right quickly
As the two exclaimed in a convincing way,
"Don't feel nervous or dejected,
You shall never be neglected—
You shall be the audience who has to pay."

The New York World phrases the same idea in stern prose, when it declares, editorially:

There are three parties to every strike, not two. The third party is the general public, whose rights and whose welfare are trampled under foot, which pays the ultimate cost of the conflict, and in addition is saddled with the expense of maintaining some semblance of law and order between the belligerents.

That is the situation in a nutshell. The great third party is the chief sufferer in these strikes.

The total cost of the British railway strikes is estimated at a quarter of a billion dollars. What an enormous loss these misguided men have inflicted upon their country, already suffering from underproduction and a stupendous war debt! They should profit in a single instance, at least, from the policy of their late German antagonists, who are now organizing and putting into force a 10-hour day program, in order to force production to a maximum limit, and thus hasten the day of liberation from the burdens and penalties resulting from war conditions.

We are threatened with an experience in this country similar to that of England. If all the strikes which scheming malcontents, largely of alien origin, are now hatching in the United States shall materialize, the loss in production and otherwise is likely to amount to billions of dollars. This, in view of the burdens we are already carrying, is piling Pelion upon Ossa to an unendurable degree. Those guilty of this dastardly act

are in no sense patriotic American citizens, nor should they be treated as such. Whatever they may be nominally, they are in spirit outlanders and enemies of democracy, and are deserving the contempt of all true patriots.

Throughout this whole controversy one compelling question looms up, overshadowing all others. Lloyd-George set it forth in the splendid words which I have already quoted, and which I shall quote again, paraphrased to fit the occasion:

Prussianism in the industrial and economic world must not prevail. The United States will render a deep and lasting service to real freedom by defeating any effort to hold up the community and strangle it into submission. The Nation means to be strong, firm, and just, but always master.

I call upon all patriotic Americans, in public life and out, to adhere to that principle with the utmost rigidity, and not seek to enter into any "entangling alliances" with forces whose primary concern is not the public welfare, forces seeking to advance causes antagonistic to the well-being of the people as a whole.

That citizen who seeks to advance the interests of himself and associates at the expense of the general public is not a patriotic citizen, or one to whom any considerable deference should be paid in the adjustment of economic or other problems. Sovietism means class rule. We can not permit that in America and still preserve our democratic institutions.

Labor unionism should be upheld for one primary principle, to obtain and maintain justice for the man who earns his bread by the sweat of his brow; but when the power of organization is employed to impose injustice against all other classes of society, the law of the land should be invoked to prevent the abuse of such power, or laws enacted that will do this.

When labor defies law and order through the power of its union it is sounding its own death knell and digging its own grave.

There are thousands of law-abiding citizens members of these unions, men of family, self-respecting citizens, who are satisfied with existing conditions, who do not desire to strike, but wish to continue at work. The terrorism spread by the radicals and lawless in these unions creates fear for the safety of their homes, their wives, and their children, and, indeed, for their own lives.

Is it not the Government's duty to throw around such in this land the strong protecting arm of the law, so that the liberty we all boast of may continue to exist?

The best thought of this Nation should always be expended in the interest of the man who works with his hands. He is the bone and sinew of the land. Otherwise the history of labor, indeed, would be the history of slavery. But in this land of opportunity labor has risen to a higher degree than in any other, but if, through improper influence and disloyal leadership, the labor group attempt to place its fetters upon an unoffending public, it must be dealt with accordingly.

The next amendment of the Committee on Appropriations was, on page 4, after line 9, to insert:

COURTHOUSE.

For the care and protection of the courthouse of the District of Columbia, under the direction of the United States marshal of the District of Columbia, namely: Ten charwomen, at \$240 each per annum, from November 1, 1919, to June 30, 1920, both dates inclusive, \$1,600, to be expended under the direction of the Attorney General.

Mr. KING. I suggest the absence of a quorum.

Mr. CURTIS. I hope the Senator will not do that. We should like to get through this bill by 2 o'clock, if possible.

Mr. KING. There are some Senators absent who are interested in some of the provisions of the bill and they desire to be advised.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Harding	New	Simmons
Brandegge	Harris	Newberry	Smith, Ariz.
Capper	Harrison	Norris	Smith, Md.
Chamberlain	Johnson, Calif.	Nugent	Smith, S. C.
Colt	Jones, Wash.	Overman	Smoot
Curtis	Kendrick	Owen	Spencer
Dial	Kenyon	Page	Sutherland
Dillingham	Keyes	Penrose	Swanson
Elkins	King	Phelan	Thomas
Fall	Kirby	Phipps	Townsend
Fernald	La Follette	Pittman	Trammell
France	Lenroot	Pomerene	Wadsworth
Frelinghuysen	Lodge	Ransdell	Walsh, Mass.
Gay	McCormick	Sheppard	Warren
Gronna	McCumber	Sberman	Watson
Hale	McKellar	Shields	Wolcott

Mr. KING. The Senator from Arizona [Mr. ASHURST], the Senator from Rhode Island [Mr. GERRY], the Senator from Oklahoma [Mr. GORE], the Senator from Nevada [Mr. HENDERSON], and the Senator from Georgia [Mr. SMITH] are detained from the Senate on official business.

The VICE PRESIDENT. Sixty-four Senators have answered to the roll call. There is a quorum present. The question is on agreeing to the amendment reported by the committee which has been read.

The amendment was agreed to.

The next amendment was, on page 4, after line 16, to insert:

COLUMBIA HOSPITAL AND LYING-IN ASYLUM.

Columbia Hospital and Lying-in Asylum: For general repairs and for additional construction, including labor and material for each and every item connected therewith, \$2,900.

One-half of the foregoing amounts to meet deficiencies in appropriations on account of the District of Columbia shall be paid from the revenues of the District of Columbia and one-half from any money in the Treasury not otherwise appropriated.

The amendment was agreed to.

The next amendment was, at the top of page 5, to insert:

FEDERAL BOARD FOR VOCATIONAL EDUCATION.

Vocational rehabilitation: For an additional amount for carrying out the provisions of the act entitled "An act to provide for the vocational rehabilitation and return to civil employment of disabled persons discharged from the military or naval forces of the United States, and for other purposes," approved June 27, 1918, as amended, including personal services in the District of Columbia and elsewhere, printing and binding to be done at the Government Printing Office, law books, books of reference, and periodicals, \$5,000,000: *Provided*, That the salary limitations prescribed by the item of appropriation for vocational rehabilitation contained in the sundry civil act, approved July 19, 1919, shall apply to the appropriation hereby made.

Mr. KING. Mr. President, I think that may be deemed an independent amendment from that which follows. I should like to ask the chairman of the committee what is the occasion for this very large appropriation, the greater part of which, doubtless, will go to the personal expenses of employees of the Vocational Board. I want to say to the Senator that I have had many complaints about the lack of efficiency and the extravagance of the Vocational Board, and it seems that the charge of extravagance is supported if an additional \$5,000,000 is now asked for. There has been a desire upon the part of Congress to appropriate whatever was needed by the soldiers and sailors for their rehabilitation and for vocational training, but there has been a feeling that the administration of the fund created for such purpose has been inefficient and wasteful.

Mr. WARREN. To what board does the Senator allude?

Mr. KING. The Federal Board for Vocational Education having to do with the vocational rehabilitation of soldiers.

Mr. WARREN. There are two different matters involved. The appropriation here is \$5,000,000, and is made upon the basis of an estimate that it will take to carry on the work to the end of the fiscal year about \$19,000,000. This will carry them along only until some time in the early part of the next session, when we shall be called upon again to appropriate for this purpose.

The Senator knows—or if he does not I shall tell him—that I was opposed to as liberal treatment as we originally provided for this board, not that I wished to oppose the rehabilitation of the wounded soldiers, because I heartily approve of that work, but I believed that they were traveling with too much steam on and with too many employees at too large salaries. If I remember aright, we had one bill vetoed because we did not provide properly, as it was thought, and we met opposition on the floor and we met some opposition in conference, but finally we put in an appropriation of about \$14,000,000.

In the military bill, as I recall, there were \$6,000,000 provided to take care of those in the Army. This item of \$5,000,000 in this deficiency bill is to take care of soldiers that have been discharged from the Army who have been injured and now, succeeding demobilization, are applying to the board in large numbers. It is expected there will be very heavy expenses for about eight or nine months, as nine months is the usual term during which the men are under instruction. This item of \$5,000,000 is appropriated, however, with strict adherence to what has already been settled upon by the Senate and by the House as to what salaries shall be paid and how many employees there may be.

I am sorry the Senator has not examined the report, for it contains a list of all the employees and the compensation received by them and each of them.

Mr. KING. I have not seen the report, but I shall be very glad to examine it. I should like to ask the Senator whether this amount is in addition to the appropriation which was carried in the last appropriation bill?

Mr. WARREN. It is in addition to about \$14,000,000 that was appropriated. It will take, however, to carry the work through the present year from \$34,000,000 to \$40,000,000. This will be the heavy year, as we have reason to expect. More and more men are applying every day, and I believe the peak of the load will be reached toward the end of the year.

Mr. KING. Will the Senator indicate what part of this \$5,000,000 goes for salaries of the multitude of employees who are connected with this board and the board which will be undoubtedly attached to it within a short time?

Mr. WARREN. At the time we organized this institution and provided the compensation, or very soon thereafter, the salaries were a trifle less than \$1,000,000. As I recall now—I can not always remember the exact figures—we were able to reduce the amount paid for salaries to about \$825,000. I should have to look at the figures to give the Senator the exact amount. The matter was before the committee and was considered by it.

Mr. KING. Mr. President, there is no question that whatever amount is required for the rehabilitation of wounded soldiers we ought gladly to appropriate.

Mr. WARREN. The money appropriated under this bill can not be used for any other purpose except to provide the machinery with which to carry on the work; that is, for the teachers and, of course, for rental to some extent, because they have branches in various States. There is one in Denver that takes care of soldiers from Utah, Wyoming, New Mexico, and Colorado.

There the highest salary is one man at \$3,750, one at \$3,500, two at \$3,000, three at \$2,750, three at \$2,500, and seven at \$2,400. That is the force of teachers or members of the staff. The clerical personnel consists of clerks at \$2,300, \$2,250, \$2,200, \$2,100, \$2,000, and so on down, employees and teachers, aggregating 72 individuals. As I say, they care for the States of Colorado, New Mexico, Utah, and Wyoming. There is a rather larger personnel than in most of these establishments.

Mr. KING. If the Senator will permit me, I was about to observe a moment ago when the Senator interrupted me, that no Senator would refuse to appropriate whatever is required for the proper protection of the soldiers and for their rehabilitation, but the trouble is—and that complaint is constantly being made—that millions of dollars of appropriations made for the soldiers will be consumed in salaries, in needless expenditures made by extravagant and in some instances incompetent officials; and this appropriation, I think, is a partial justification of the view that there is extravagance and waste upon the part of the Vocational Board. There is a disposition to give positions to a number of broken-down individuals and to create too many positions. The overhead expenses are too great and too much of the appropriations made for the soldiers is expended in salaries, traveling expenses, and so forth. There is too large a personnel in the service of the Government in this particular work, as there is in so many other agencies and departments of the Government.

Mr. WARREN. The total number of employees of every nature is 2,529. Out of a requirement here of \$34,000,000 and a little over, the salaries of the employees—that is, what they have expended and what they will expend during the year—would be three million forty-four thousand and some odd dollars.

Mr. KING. It seems to me an outrage that such a large part of the appropriation should be utilized for the expenses of administration. It merely illustrates that even where the Government undertakes the care and education of boys who have served their country in a heroic and splendid manner there are a lot of individuals who fasten themselves upon the Government and consume a large part of the amounts appropriated by Congress for such praiseworthy and laudable purposes. When the question of vocational training of soldiers was before the Senate for consideration at the last session of Congress it was apparent from the record before us that the expense of administration was wasteful, and that extravagance was justly charged against those in control of its activities.

Mr. WARREN. I want to say to the Senator, in answer to his inquiries, that the board started with 91 of these wounded soldiers. The number in September, prior to the 1st of October, was 29,667, and there are more who have applied and who are to be taken in. I do not understand that they expect to increase the salaries—in fact, they can not increase the salaries, because there is an inhibition against that in the former legislation, which is repeated here—but they expect that those soldier students will run probably to 30,000 and possibly more, and then from that time the number will recede; perhaps not in the same proportion as the number increased, but very nearly the same, as they are entitled under their present plan to about nine months each.

Mr. KING. I will say to the chairman of the committee that a number of letters which I have received from persons who have been importuned to accept the benefits of this act indicate that there is a determined plan upon the part of some of those connected with this board to make as great a showing as possible, and for that purpose and to that end they have solicited men who did not care to take advantage of the provisions of the act and who were not entitled to it, because their ailments

were so unimportant as to not bring them under the provisions of the act, and complaints have been made that efforts were being put forth to induce people to claim benefits under this act when they were not entitled thereto.

The PRESIDING OFFICER (Mr. OVERMAN in the chair). The question is on agreeing to the amendment of the committee. The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 5, after line 15, to insert:

The Secretary of War shall have authority to transfer to the Federal Board for Vocational Education, without compensation therefor, certain surplus machine tools and other equipment of the approximate value of \$250,000 belonging to the War Department and now in possession of the Federal board and being used by that board as equipment in schools for vocational education controlled by the board. Property so transferred shall be dropped from the records of the War Department on the filing with the War Department of an itemized receipt for the articles thus transferred. The Federal Board for Vocational Education shall annually report to Congress the disposition and use of the articles the transfer of which is herein authorized.

The amendment was agreed to.

The next amendment was, under the head of "Department of State," on page 7, line 9, after "1920," to strike out "\$100,000" and insert "\$200,000," so as to make the clause read:

Salaries: For additional officers and employees in the Department of State during the fiscal year 1920, \$200,000: *Provided*, That no person shall be employed hereunder at a rate of compensation exceeding \$4,500 per annum.

Mr. FALL. Mr. President, in reference to that item the estimate made was for an appropriation of \$300,000 for the department. It appears that the House only allowed \$100,000, and the Senate committee has increased that amount to \$200,000. The estimate also requested an appropriation of \$242,500 additional for additional personnel for the department.

I have not only had my attention called to this matter by certain officials of the State Department, but I have had the necessity for these appropriations very seriously impressed upon me within the last two months and a half because of certain official business which I have been transacting upon two different committees, in the transaction of which I have been thrown very intimately with the State Department; and I may say that in both instances I have been cooperating, as the representative of one of the Senate committees, with the officials and with the personnel of the State Department. If the committee understood, as I think I more or less understand, the necessity for the appropriations which were asked in this estimate, I can not conceive that there would be any hesitation whatsoever in granting the appropriations.

I have read the testimony of the Secretary and others who appeared before the committee with reference to these items. As the presiding officer and the Members of the Senate know, the Secretary of State has been absent from this country for quite a period, and I am confident that he did not understand the details of the estimates, but simply the requirements of the service in general. I talked this matter over with the chairman of the Foreign Relations Committee, and I am making this statement at his request.

I think that to cut the appropriation to \$200,000 and to leave out the appropriation for extra employees would be practically suicidal. The State Department is now taking over the business under peace conditions, and a large portion of that business has been transferred to the State Department from the War Departments and other departments of the Government. The report accompanying the estimate is a very instructive one, and from my personal knowledge and personal information I think I can say without hesitation that if the appropriations requested here are not made the State Department will be practically compelled to suspend business.

The Congress provided for the appointment of something like 411 additional temporary employees and made appropriations for them. These additional employees have been at work, and the service has broken down; that is, they have not been able recently to keep up with the business. If this appropriation is not allowed, or any part of it is cut off—in other words, if the \$300,000 is not allowed—the force will be reduced from 411 to 186, and instead of being reduced it needs to be very largely increased. To cut it down by any amount from the estimate requested in this particular item of \$300,000 means so to cripple the service that it would be impossible for the State Department to perform that duty which it is necessary to have performed by some department.

I want to call attention to the report from the Secretary of State made on June 5, 1919, in submitting the estimate:

There are now 411 persons temporarily employed at an annual rate of expenditure of \$449,281.68. To meet the anticipated deficiency in the existing appropriation an item has already been inserted in the pending deficiency bill to carry the existing personnel to June 30, 1919.

Therefore, unless Congress shall take prompt action and provide an additional amount for the fiscal year beginning July 1 next, it will be necessary to reduce the temporary force 55 per cent, or from 411 to 186 persons. The result will be that the department will be hopelessly handicapped and impotent to perform the important duties with which it is charged.

In a later part of the report the Secretary sympathizes with the Congress in its desire to curtail expenses, and states that he has no purpose at all to fix permanently in the service the 411 temporary employees, but that at the present time in the particular division in which they are employed the necessity exists for the continued employment of these 411 temporary employees, and that at the earliest possible moment.

Mr. WARREN. Has the Senator his amendment ready?

Mr. FALL. I move to strike out "200" and insert "300," making it "\$300,000"; and I move an additional appropriation to be inserted immediately following this amendment of \$242,500 for additional officers to aid in important drafting work. I will present the amendment.

Mr. WARREN. I know what it is.

Mr. FALL. It calls for \$242,500.

Mr. WARREN. I wish to make a few observations to see whether the Senator wanted to do just that. I appreciate quite fully the situation, and I wish to say to the Senator that in the last deficiency appropriation act the committee did not give, in fact, anywhere near what the State Department wanted. I am aware of the extra work that comes in the clean-up in relations with foreign countries following the war.

Under the rules of the Senate, we have provided that hereafter the Diplomatic appropriation bill shall go to the Committee on Foreign Relations, presided over, as Senators know, by the able Senator from Massachusetts [Mr. Lodge]; but the deficiencies will continue, probably, to go to the Committee on Appropriations. The Senator from New Mexico is entirely within the estimates in his proposal. What occurred to the committee on the House side, I think, was that they did not want to create these statutory places in a deficiency bill, and I think it is a question of procedure. Therefore they put in one hundred thousand, by which they sought to cover the two items of three hundred thousand and two hundred and forty-two thousand five hundred. The question arises whether, in view of the attitude of the House, you want to put in two amendments to operate that way, or to offer one amendment covering the two, following the same procedure as that followed by the House, and increase the amount accordingly.

Mr. FALL. The difficulty is, Mr. President, that the appropriation of \$300,000 asked is under the act of March 1, 1919, volume 40, page 1224, section 1. The appropriation asked is to cover the number of employees provided under that act, and the appropriation necessary for that particular purpose is \$300,000.

The department states, and I know that they are correct in it, that it is necessary to give them an additional appropriation for the appointment of extra assistants in what they call generally the drafting department. The business in that department is increasing so enormously that it is entirely congested. The report of the department states that—

The Consular Service, involving a personnel of more than 2,000, and appropriations of more than \$5,000,000 for the next fiscal year, is being administered by a director who has to assist him only two men receiving salaries greater than \$1,800, and only three receiving as much as \$1,800. The Diplomatic Service is being administered by the Assistant Secretary with little help other than his confidential clerk. The Russian division, specializing upon European and Asiatic Russia, one of the enormous political and commercial fields in the world, is administered by a chief and a few clerks. There ought to be at least five or six high-grade specialists in that division, men upon whose judgment the Secretary of State could rely. The result of this condition is that officers in responsible charge are compelled constantly to work overtime, and give their nights, Sundays, and holidays to their tasks.

Mr. President, that was one of the matters which was brought to my personal attention. As the chairman of one of the subcommittees of the Foreign Relations Committee, I myself have been at work with representatives of the State Department as late as 1 o'clock in the morning and half the day on Sundays; I have had my morning hours taken up; and I know that these representatives, in addition to their regular work at their desks, have been compelled to work overtime, as much as 18 to 20 hours out of the 24, because of the congestion. One of our ministers to a foreign country is doing work here which should be handled by solicitors and other expert officers in the department. I know that in one matter alone he is doing work that should be done by three or four on the regular staff in the office, and he has been retained here because it was impossible to detail anyone else to the work. The State Department simply have not the personnel. They want some additional help.

This report further states:

The Index Bureau, which receives and dispatches correspondence by mail and telegraph, employs 134 clerks, paid from the fund under consideration.

I only call attention to this to show how the work in the department has increased. If the \$300,000 is not given for this particular work to which it is to be devoted, that force will be reduced from 134 to 60, instead of being increased.

The report further states:

During the month of May it received and sent out more than 1,800 mail communications a day, and in addition an average of 327 telegrams each day.

You will find on an examination, so I am told, that the work has increased from prewar times by from 200 to 500 per cent in each one of these bureaus, and now it is increasing by leaps and bounds as the peace settlement comes around, and the work which has formerly been handled by other departments devolves entirely upon the State Department.

They therefore have asked, in addition to the \$300,000, for \$242,500 for additional officers to aid in important drafting work. That does not mean drawing plans, Mr. President; it does not mean map making and work of that kind. It means getting up the diplomatic documents and notes, and handling work of that character, particularly work in the solicitor's department.

The Secretary refers, just incidentally, in his testimony to one of the difficulties, and I happened to be brought face to face with that myself. One of the experts of the department, who has not yet been replaced, who took up certain work with the committee at the request of the Secretary of State, who transacted a portion of that work and assisted in getting it started, failed to appear. My information was, upon asking the question, that he had been getting \$3,500 a year, and he stepped out into private employment at \$15,000. As the Secretary says, the difficulty is that you get a man at \$3,500, \$4,000, or \$4,500 a year who is capable of transacting the very important business devolving upon him as solicitor or assistant solicitor or in the drafting department generally, and private individuals, exporting firms or importing firms, or those doing business with foreign countries are on the watch out for a competent man, and when they find him in the State Department they make it so interesting to him that he can not remain in the State Department at the salaries which we pay.

Mr. President, the amount which is asked here, \$242,000, is for additional officers, as follows:

Eleven at \$4,500 each; 25 at \$4,000 each; 22 at \$3,500 each; 2 at \$3,000 each; and 4 at \$2,500 each, to be appointed by the Secretary of State, all of whom may be appointed as chief of division of Far Eastern Division, Latin-American Division, Near Eastern Division, Division of Western European Affairs, or upon other work in connection with the foreign relations—

Under the act of March 1, 1919, the same act.

The Chief of the Division of Latin-American Affairs of the United States State Department draws the munificent salary of \$4,500. For anything like the same amount of work any commercial establishment or any banking establishment in the United States would not think of offering a competent man less than \$25,000 per annum, but in the State Department he can receive only \$4,500. The consequence is that it is necessary to secure an inferior man or to appeal to the patriotism of some man who can afford to live on a salary of \$4,500 because he has some additional revenue on the side. Yet they are not asking for an increase of salaries, but simply that they may be allowed an increase in the personnel.

Mr. WARREN. Mr. President, what the Senator from New Mexico says is entirely correct. The amendment is within the estimates. However, the estimates are made for 12 months, and, of course, we would have to confine the deficiency bill to the balance of the present fiscal year, which would be 8 months instead of 12 months.

Mr. FALL. That would be approximately three-quarters of the amount asked.

Mr. WARREN. It would be about \$166,000.

Mr. FALL. Very well. If the Senator will allow it to go in at that figure, I will be willing to agree to it.

Mr. LODGE. Mr. President, I want to say a single word in support of what the Senator from New Mexico [Mr. FALL] has said. The Senator in charge of the bill has accepted the amendment; so I do not wish to consume time.

It is a matter of the utmost importance that the State Department should have money to the amount asked for. I can testify to the need of it from my knowledge of the work with which the committee has been brought in contact. The work is now so congested that it is extremely difficult to get anything done, and the proposed reduction of the House would absolutely cripple the department.

The Senator from New Mexico [Mr. FALL] has referred to some of the duties of the subcommittee of which he is chairman, with which I am familiar. In order to get that work done, in order to get the correspondence with the country with which we were in negotiation completed, the Senator from New Mexico and some of the principal officers of the State Depart-

ment had to work after midnight and far into the night, night after night, in the simple work of drafting and preparing the dispatches that were necessary. That ought not to be. We ought to have a sufficient force there. It is not an extravagant department, and I am extremely anxious, owing to my experience on the committee and from what I know of the situation, that these increases shall be made.

The PRESIDING OFFICER. The question is upon the amendment offered by the Senator from New Mexico to the amendment of the committee, changing the amount from \$100,000 to \$300,000.

The amendment to the amendment was agreed to.

Mr. FALL. Now, let the vote be taken on the additional amendment to the amendment, as modified.

The PRESIDING OFFICER. The Secretary will read the additional amendment to the amendment offered by the Senator from New Mexico.

The SECRETARY. Add to the amendment the following:

Additional officers to aid in important drafting work, as follows: Eleven at \$4,500 each, 25 at \$4,000 each, 22 at \$3,500 each, 2 at \$3,000 each, 4 at \$2,500 each, to be appointed by the Secretary of State, all of whom may be employed as chief of division of Far Eastern Division, Latin-American Division, Near Eastern Division, Division of Western European Affairs, or upon other work in connection with the foreign relations, \$161,666.67.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the subhead "Foreign intercourse," on page 7, after line 12, to insert:

Ambassador extraordinary and plenipotentiary to Belgium: Toward the payment of the salary of the ambassador extraordinary and plenipotentiary to Belgium as authorized by public resolution No. 16, approved September 29, 1919, at the rate of \$5,500 per annum, from September 30, 1919, to June 30, 1920, both dates inclusive, \$4,140.28, and the unexpended balance of the appropriation of \$12,000 for the salary of an envoy extraordinary and minister plenipotentiary to Belgium for the fiscal year 1920, appropriated in the Diplomatic and Consular act approved March 4, 1919, is hereby made available to be applied to the salary of the ambassador extraordinary and plenipotentiary to Belgium.

The amendment was agreed to.

The next amendment was, on page 8, line 4, after the word "peace," to strike out "\$388,000" and insert "\$588,000," so as to make the clause read:

To reimburse the appropriation "Emergencies arising in the Diplomatic and Consular Service, fiscal year 1920," on account of allotments made therefrom for expenses of the American mission to negotiate peace, \$588,000.

The amendment was agreed to.

The next amendment was, under the head of "Treasury Department," subhead "Office of the Secretary," on page 8, line 11, after the word "from," to strike out "October" and insert "November," and in line 14, after the words "in all," to strike out "\$7,650" and insert "\$6,800.02," so as to make the clause read:

Division of Bookkeeping and Warrants: For additional employees from November 1, 1919, to June 30, 1920, inclusive, at annual rates of compensation as follows: Clerks—1 of class 4, 2 of class 3, 2 of class 2, 2 of class 1; in all, \$6,800.02.

The amendment was agreed to.

The next amendment was, under the subhead "Office of Auditor for Treasury Department," on page 8, line 16, after the word "from," to strike out "October" and insert "November," and in line 21, after the words "in all," to strike out "\$29,535" and insert "\$26,253.42," so as to make the clause read:

For additional employees from November 1, 1919, to June 30, 1920, inclusive, at annual rates of compensation as follows: Clerks—7 of class 1, 13 at \$1,000 each; 5 calculating-machine operators (nonapportioned) at \$1,200 each; check assorters (nonapportioned)—4 at \$720 each, 13 at \$700 each; in all, \$26,253.42.

The amendment was agreed to.

The next amendment was, under the subhead "Office of Auditor for Navy Department," on page 8, line 23, after the word "from," to strike out "October" and insert "November," and on page 9, line 2, after the words "in all," to strike out "\$46,890" and insert "\$41,680.10," so as to make the clause read:

For additional employees from November 1, 1919, to June 30, 1920, inclusive, at annual rates of compensation as follows: Clerks—10 of class 4, 10 of class 3, 10 of class 2, 10 of class 1; assistant messenger at \$720; 2 laborers at \$660 each; messenger boy at \$480; in all, \$41,680.10.

The amendment was agreed to.

The next amendment was, under the subhead "Office Auditor for State and Other Departments," on page 9, line 4, after the word "from," to strike out "October" and insert "November," and in line 7, after the words "in all," to strike out

"\$5,850" and insert "\$5,200.02," so as to make the clause read:

For additional employees from November 1, 1919, to June 30, 1920, inclusive, at annual rates of compensation as follows: Clerks—one of class 4, two of class 3, two of class 2; in all, \$5,200.02.

The amendment was agreed to.

The next amendment was, under the subhead "Office of Comptroller of the Currency," on page 9, line 15, after the word "from," to strike out "October" and insert "November," and in line 16, after the word "inclusive," to strike out "\$7,500" and insert "\$6,666.70," so as to make the clause read:

National currency (reimbursable): For 10 money counters at the rate of \$1,000 each per annum from November 1, 1919, to June 30, 1920, inclusive, \$6,666.70.

The amendment was agreed to.

The next amendment was, under the subhead "Public buildings," on page 10, after line 8, to insert:

Repairs and preservation: The provision for the limitation of \$16,000 for the Treasury, Treasury Annex, Arlington, Liberty Loan, Butler, Winder, and Auditors Buildings in the District of Columbia, expendable from the appropriation of \$800,000 contained in the sundry civil act approved July 19, 1919, is hereby extended so that not exceeding \$21,000 may be expended for repairs to those buildings.

The amendment was agreed to.

The next amendment was, on page 10, after line 15, to insert:

Mount Olive, N. C., post office: For continuation (site), \$2,800.

The amendment was agreed to.

The next amendment was, on page 10, after line 17, to insert: Nashville, Tenn., rent of buildings: For additional for rent of temporary quarters for the accommodation of Government officials, and moving expenses incident thereto, \$3,000.

The amendment was agreed to.

The next amendment was, on page 10, after line 21, to insert: Newport, R. I., rent of buildings: For additional for rent of temporary quarters for the accommodation of Government officials, and moving expenses incident thereto, \$1,500.

The amendment was agreed to.

The next amendment was, at the top of page 11, to insert: Cape Charles, Va., quarantine station: For wharf, bulkhead, breakwater, and dredging of channel, \$125,000: *Provided*, That all work authorized in this paragraph shall be performed under the supervision and direction of the Supervising Architect of the Treasury.

The amendment was agreed to.

The next amendment was, under the subhead "Secret Service Division," on page 12, line 1, after the words "United States," to strike out "\$50,000" and insert "\$75,000," and in line 7, after the word "courts," to insert:

Provided further, That no person shall be employed hereunder at a compensation greater than that allowed by law except not exceeding three persons who may be paid not exceeding \$12 per day.

So as to make the clause read:

Suppressing counterfeiting and other crimes: For expenses incurred under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal having jurisdiction dealers and pretended dealers in counterfeit money and persons engaged in counterfeiting Treasury notes, bonds, national-bank notes, and other securities of the United States and of foreign Governments, as well as the coins of the United States and of foreign Governments, and other felonies committed against the laws of the United States relating to the pay and bounty laws, and for the enforcement of section 18 of the War Finance Corporation act; hire and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary; per diem in lieu of subsistence, when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, and for no other purpose whatever, except in the protection of the person of the President and the members of his immediate family and of the person chosen to be President of the United States, \$75,000: *Provided further*, That no part of this amount be used in defraying the expenses of any person subpoenaed by the United States courts to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses, United States courts": *Provided further*, That no person shall be employed hereunder at a compensation greater than that allowed by law except not exceeding three persons who may be paid not exceeding \$12 per day.

The amendment was agreed to.

The next amendment was, under the subhead "Office of the Treasurer," on page 12, after line 19, to insert:

National currency (reimbursable): For additional employees in redeeming Federal reserve and national currency, to be reimbursed by the Federal reserve and national banks, for the period November 1, 1919, to June 30, 1920, inclusive, at annual rates of compensation as follows: Assistant superintendent, at \$3,000; chief of money section, at \$2,750; chief of accounting section, at \$2,750; clerks—3 of class 4, 4 of class 3, 7 of class 2; expert counters—50 at \$1,100 each, 60 at \$1,000 each, 62 at \$900 each; 2 messengers, at \$840 each; 2 assistant messengers, at \$720 each; 1 messenger boy, at \$480; 3 charwomen, at \$240 each; in all, \$136,813.94.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of War Risk Insurance," on page 13, line 22, after the word "abroad," to insert "advertising, \$1,000,000"; in line 23, after "\$75,000," to insert "addressograph supplies, \$161,536"; and

on page 14, line 4, after the words "in all," to strike out "\$4,701,640" and insert "\$5,863,176," so as to make the clause read:

For expenses of the Bureau of War Risk Insurance, as authorized by law; for salaries of the director and commissioners, and of such deputies, assistants, accountants, experts, clerks, and other employees in the District of Columbia, as the Secretary of the Treasury may deem necessary, \$4,000,000; stationery and minor office supplies, \$550,000; miscellaneous expenses, including telephones, telegrams, freight, express, foreign postage, not exceeding \$100 for street car fares, not exceeding \$500 for law books, books of reference, and periodicals, \$60,000; not to exceed \$800,000 of the appropriation for "salaries and expenses of employees engaged in field investigations and expenses of branch offices, fiscal year 1920," is made available for printing and binding, to be done at the Government Printing Office, and necessary printing of forms, etc., for use abroad may be done abroad; advertising, \$1,000,000; furniture, equipment, and supplies, \$75,000; addressograph supplies, \$161,536; traveling expenses (exclusive of field investigations), \$10,000; purchase, maintenance, and repair of a motor-propelled passenger vehicle, \$1,000; for payment to the National Museum on account of repairs and other expenses made necessary by the occupancy of that building by the Bureau of War Risk Insurance, \$5,640; in all, \$5,863,176: *Provided*, That all employees appropriated for by this paragraph shall be engaged exclusively on the work of the Bureau of War Risk Insurance during the fiscal year 1920.

Mr. McKELLAR. Mr. President, I reserve a point of order against this amendment until the junior Senator from Utah [Mr. KING] returns to the Chamber. I ask that it be passed over until his return.

The PRESIDING OFFICER. Without objection, it will be passed over.

The next amendment was, on page 14, after line 8, to insert:

The Secretary of the Treasury and the Postmaster General shall formulate and promulgate such regulations as will enable persons insured under the provisions of the war-risk insurance act to make payments of premiums at such post offices or branches or stations of post offices as they may designate or to any city letter carrier or rural carrier while on duty. The Post Office Department is hereby authorized and directed to receive sums so tendered in payment of such premiums, and to receive and transmit to the Bureau of War Risk Insurance applications for the reinstatement of lapsed insurance.

Mr. McKELLAR. I also reserve a point of order against the amendment just read on page 14, lines 9 to 19.

The PRESIDING OFFICER. The amendment will be passed over.

Mr. WARREN. It was passed over with the other, I understood. The Senator reserves a point of order against it?

Mr. McKELLAR. All right; I reserve a point of order, especially to lines 9 to 19 on page 14, until the junior Senator from Utah [Mr. KING] comes back.

The next amendment was, on page 14, after line 19, to insert:

COAST GUARD.

For all purposes of the appropriation mentioned under the following heading in sundry civil act approved July 19, 1919: For telephone lines and their maintenance, \$31,000.

The amendment was agreed to.

The next amendment was, on page 14, after line 23, to insert:

CUSTOMS SERVICE.

For construction and installation of special automatic and recording scales for weighing merchandise, etc., in connection with imports at the various ports of entry under direction of the Secretary of the Treasury, \$55,000; and the unexpended balance of the appropriation for these purposes for the fiscal year 1919 is hereby appropriated and made available for the fiscal year ending June 30, 1920.

The amendment was agreed to.

The next amendment was, under the subhead "American Printing House for the Blind," on page 15, line 10, after "\$30,000," to insert:

Provided, That two copies of each of the publications printed by the American Printing House for the Blind shall be furnished free of charge to the National Library for the Blind located at 1729 H Street NW., Washington, D. C.

So as to make the clause read:

To enable the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind in accordance with the provisions of the act approved August 4, 1919, \$30,000: *Provided*, That two copies of each of the publications printed by the American Printing House for the Blind shall be furnished free of charge to the National Library for the Blind located at 1729 H Street NW., Washington, D. C.

The amendment was agreed to.

The next amendment was, on page 15, after line 15, to insert:

MISCELLANEOUS.

Credit in the accounts of C. G. Duganne: The accounting officers of the Treasury Department are hereby authorized and directed to credit in the accounts of C. G. Duganne, formerly disbursing officer, United States Reclamation Service, Denver, Colo., the sum of \$147, representing amount paid by him to the Hendee Manufacturing Co. (\$144) and overpayment to M. Killian (\$3), the former having been disallowed by the accounting officers of the Treasury Department as having been paid in contravention of the provisions of section 3709, Revised Statutes, and the latter because of the item representing an overpayment to the payee named, \$147.

The amendment was agreed to.

The next amendment was, on page 16, after line 4, to insert:

The accounting officers of the Treasury are directed to allow and credit in the accounts of Sydney E. Smith, disbursing clerk of the War Department, the sum of \$550 expended by him from the appropriation for contingent expenses, War Department, for the fiscal year ending June 30, 1917, for the removal of certain partitions in the State, War, and Navy Building, and for this purpose the sum of \$550 is hereby appropriated out of any money in the Treasury not otherwise appropriated.

Mr. WARREN. After line 4, there should be a subhead "Credit in the accounts of Sydney E. Smith."

The PRESIDING OFFICER. Without objection, the Secretary will make the correction.

The next amendment was, under the head of "War Department," subhead "Contingent expenses," on page 16, line 21, after the word "gas," to insert ", and heating apparatus for and repairs to buildings (outside of the State, War, and Navy Department Building) occupied by the War Department and its bureaus," so as to make the clause read:

For purchase of professional and scientific books, law books, including their exchange; books of reference, blank books, pamphlets, periodicals, newspapers, maps; typewriters and adding machines; furniture and repairs to same; carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges, fuel, gas, and heating apparatus for and repairs to buildings (outside of the State, War, and Navy Department Building) occupied by the War Department and its bureaus; maintenance, repair, and operation of motor trucks and motor cycles, and one motor-propelled, passenger-carrying vehicle, to be used only for official purposes; freight and express charges; street car fares, not exceeding \$1,000; and other absolutely necessary expenses, including a per diem allowance not to exceed \$4 in lieu of subsistence, \$400,000.

The amendment was agreed to.

The next amendment was, under the subhead "Engineer Department," on page 17, after line 13, to insert:

Aqueduct Bridge: For continuing the construction of the bridge authorized in section 1 of an act entitled "An act to provide for the removal of what is now known as the Aqueduct Bridge, across the Potomac River, and for the building of a bridge in place thereof," approved May 18, 1916, one half to be payable out of the Treasury of the United States and the other half out of the revenues of the District of Columbia, \$200,000.

The amendment was agreed to.

The next amendment was, on page 18, after line 3, to strike out:

ORDNANCE DEPARTMENT.

Ordnance reservation civilian schools: Authority is granted for the expenditure during the fiscal year 1920 of not to exceed \$64,000 from appropriations heretofore made for the "purchase, manufacture, and test of ammunition for mountain, field, and siege cannon," for the operation and maintenance on Ordnance reservations of schools for children of persons employed thereon, where public schools are not conveniently available for such children, including salaries, supplies, stationery, and industrial work, replacement and repair of books and equipment, and all incidental and necessary expenses in connection therewith.

The amendment was agreed to.

The next amendment was, on page 19, after line 19, to insert:

BRIDGE ACROSS THE MISSOURI RIVER AT FORT LEAVENWORTH, KANS.

For the purchase of bridge across Missouri River connecting the two portions of the United States military reservation at Fort Leavenworth, Kans., \$35,000.

The amendment was agreed to.

The next amendment was, at the top of page 20, to insert:

MILITARY ESTABLISHMENT.

QUARTERMASTER CORPS.

Barracks and quarters: For completing payments to Chamber of Commerce, Anniston, Ala., under contract between said chamber of commerce and the United States dated March 16, 1917, and supplemental agreement thereto dated July 15, 1918, for purchase of the tract of land designated as Camp McClellan, title to which is now vested in the United States, the sum of \$13,872, from the remaining unexpended balances of the appropriation "Barracks and quarters, 1918," is reappropriated and made available for said purpose for the fiscal year 1920.

The amendment was agreed to.

The next amendment was, on page 20, after line 12, to insert:

AIR SERVICE.

For the activities of the Air Service of the Army during the fiscal year ending June 30, 1920, the sum of \$15,081,350 is hereby made available from the unexpended balance of funds appropriated for the fiscal year 1918, by the act approved July 24, 1917, entitled "An act to authorize the President to increase temporarily the Signal Corps of the Army and to purchase, maintain, manufacture, repair, and operate airships and to make appropriations therefor, and for other purposes," and of the funds appropriated for the Air Service for the fiscal year 1919, by the act approved July 9, 1918, entitled "An act making appropriations for the support of the Army for the fiscal year ending June 30, 1919."

The amendment was agreed to.

The next amendment was, on page 21, after line 14, to insert:

NAVY DEPARTMENT.

HYDROGRAPHIC OFFICE.

For an amount to increase the compensation of draftsmen and chiefs of sections directing their work, in no case to exceed 33 1/3 per cent of the present basic compensation of any such employee, \$15,244.45.

The amendment was agreed to.

The next amendment was, on page 21, after line 20, to insert:
For an amount to increase the compensation of engravers and chief of section directing their work, in no case to exceed 33½ per cent of the present basic compensation of any such employees, \$6,444.45.

The amendment was agreed to.

The next amendment was, at the top of page 22, to insert:

OFFICE OF NAVAL RECORDS AND LIBRARY.

Authority is hereby given to purchase books, periodicals, photographs, maps, and other publications, documents, and pictorial records from the appropriation of \$20,000 for the collection or copying and classification, with a view to publication, of the naval records of the war with the Central Powers of Europe, etc., made in the legislative, executive, and judicial appropriation act for the fiscal year 1920.

The amendment was agreed to.

The next amendment was, on page 22, after line 9, to insert:
Not exceeding \$15,500 of the unexpended balance of the appropriation for the continuation for the fiscal years 1913 and 1914 of the publication of an edition of 11,000 copies of the Official Records of the Union and Confederate Navies in the War of the Rebellion, which were continued and made available until June 30, 1918, by the act approved September 8, 1916, are further continued and made available until June 30, 1921.

The amendment was agreed to.

The next amendment was, on page 22, after line 17, to insert:

RENT.

For the rental of additional quarters for the Navy Department, fiscal year 1919, \$175.

The amendment was agreed to.

The next amendment was, on page 22, after line 20, to insert:

DAMAGE CLAIMS.

To pay the claims adjusted and determined by the Navy Department under the naval appropriation act for the fiscal year 1911 on account of damages occasioned to private property by collisions with vessels of the United States Navy, and for which naval vessels were responsible, certified to Congress in Senate Document No. 104 of this session, \$6,289.94.

The amendment was agreed to.

The next amendment was, under the head of "Naval Establishment," on page 23, after line 4, to strike out:

The aggregate of the sums of \$7,300,000 and \$2,000,000, respectively, of the appropriations "Pay of the Navy" and "Provisions, Navy," contained in the naval appropriation act for the fiscal year 1920, may be transferred to the following naval appropriations for the fiscal year 1920 in the following amounts, respectively:

"Maintenance, Bureau of Yards and Docks," \$2,500,000;
"Maintenance, Bureau of Supplies and Accounts," \$1,050,000;
"Construction and repair of vessels, Bureau of Construction and Repair," \$3,250,000;

"Engineering, Bureau of Steam Engineering," \$2,500,000;

In all, \$9,300,000: *Provided*, That no part of this sum shall be expended upon repairs to any vessel which is not to be retained permanently in the Navy: *Provided further*, That the Secretary of the Navy shall submit to Congress not later than February 1, 1920, a statement showing, for each navy yard and naval station, the total number of employees, by occupations, on December 31, 1919, and the proportion of such employees who are below a fair standard of efficiency.

Mr. CALDER. Mr. President, I rise to oppose the committee amendment. The Navy Department asked \$18,000,000 for the purposes enumerated in the item stricken out. The Committee on Appropriations of the House refused to approve the recommendations of the Navy Department in that regard, and instead have provided for the transfer of certain funds of the Navy for the purposes covered in the House provision of the bill.

I have carefully examined the hearings before the Committee on Appropriations of both the Senate and the House. It seems to me that this transfer of funds is very necessary. An examination of the hearings would seem to indicate that the money appropriated during the last Congress for the repair and maintenance of naval vessels was insufficient to put them in proper condition; this applies particularly to the larger ships. All of these vessels have been in active service, and many of the dreadnaughts and superdreadnaughts, as well as the torpedo boats, have not been overhauled since the war began. Then, too, Mr. President, the hearings seem to indicate that we have to-day in the navy yards about 15 or 20 per cent fewer men than were employed in the war days. If we allow this transfer we will be able to keep the navy yards at the highest state of efficiency, to keep trained men, men accustomed to Government work, until next spring. The Secretary of the Navy suggests that even with the \$9,000,000 provided for in this item he will be compelled to lay off 10 per cent on the 1st of March, 10 per cent more the 1st of April, and 10 per cent more the 1st of May, so that by the 1st of July next we will have gotten down to about 60 per cent of the number of men employed in the navy yards during the war. This number would be about 15 per cent more than before the war and they will be needed in view of our largely increased Navy.

I think perhaps Senators generally appreciate what it means to keep a Government or private plant in its highest state of efficiency, and for men to know that they are to be retained in their employment, particularly when the work is needed. This money is to be used only for the purpose of employing men on

ships that are required for immediate service and not on emergency vessels that were brought into Navy for the period of the war. At least every year the machinery, hull, and ordnance of every naval vessel needs overhauling to be kept in the highest state of efficiency.

I believe, Mr. President, that failure to retain the House provision in the bill will prove most unfortunate. It is important, most important. I hope the Senate committee amendment will be defeated.

Mr. WARREN. Mr. President, of course, during the war we had to have thousands of men employed at various points in the Navy and Army and in the War and Navy Departments, and now that the war is over, and since the Navy itself has been cut down to but a fraction of the number of men to man these ships which are still in service, unless we are to begin to cut down the great amount of help that has been employed we shall never get it done. We have appropriated money enough at all times to keep these vessels up. It is true that during the active period of the war they were unable to get men enough to use the money that we appropriated, but they have men enough now and money enough now to bring these ships up on time for the service, and to bring them up even faster than they can man them with the forces to sail them and to arm them.

The only difference is that every department, so far as I can observe—I will not say every department, because the War Department has already reduced its help 38½ per cent—but there seems to be generally in the departments, first, the proposition on the part of the employees to remain forever, and, on the other hand, on the part of the heads of the divisions and bureaus, unfortunately all the way up, that they can not let go. They can not let go now. If we are to get back on a peace basis we have got to make a beginning. The Committee on Appropriations desires to follow the law, desires to keep inside of good, economical business lines; but Congress by frequent acts of legislation which require the appropriation of large amounts of money makes it impossible for the Committee on Appropriations to effect the economies we desire. We have an instance or two on this bill.

Now, in this proposed naval appropriation it is simply a matter of whether we shall keep a great horde of men to repair these ships within the next five or six months, or whether we shall repair them as fast as we may. They are in the service; we have more in the service now than we can man; vessels fit for service are tied up because the Government has not the men to man them. I think the amendment of the committee ought to be sustained.

Mr. CALDER. Mr. President, I want to read from the hearings of the committee the testimony of Admiral McKean on this point:

Admiral McKean. The necessity for the appropriation, as the Secretary has explained, is for fitting the fighting ships. We had, as you know, all of our ships busily employed in training, in convoy work, and two divisions abroad. They were kept working for 24 hours a day. They were kept away from the navy yards just as long as they could run, and when sent to the yards the repairs made were just sufficient to enable them to go ahead on the next trip. The result has been not the normal amount of repairs, but they have been going down, going down, going down, until some of them stopped, and we had to take them off of the convoy of troops.

I have fallen in with the divisions that were over on the other side with the British fleet, where they were kept on from four to eight hours' notice all the time to get under way. Those officers and men worked very hard and very conscientiously in their efforts to keep the ships fit during that time, and when they came back they were very proud of their success in keeping the ships operating up to high efficiency and high speeds. Whenever they were called for they went. They came back and told us that self-maintenance, which we had preached as a theory in the Navy Department, was all right. They were convinced for the first time of its possibility. They had done it, they said, and the ships were all right.

I was then in charge of matériel. I told them: "I do not believe it. You are too enthusiastic. The matériel will talk for itself when you get it opened up." It does. All of those ships to-day are requiring from 50 to 100 per cent more repairs than the same ships would have required had we been able to take them out of the fleet, send them to the yards, and do the "stitch in time that saves nine."

Mr. President, I hesitate to disagree with the chairman of the Committee on Appropriations, but it seems to me, after a careful examination of the whole subject, that in the long run it would be most uneconomical if the Senate committee amendment is adopted. Our Navy has always prided itself on its efficiency, and this action will materially lessen our actual fighting force. I therefore hope that the committee amendment will be voted down.

The PRESIDING OFFICER. The question is on the adoption of the committee amendment.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Bureau of Supplies and Accounts," on page 24, line 5, after the words "sum of," to strike out

"\$800,000" and insert "\$500,000," so as to make the clause read:

The limitation on expenditures from the appropriation "Maintenance, Bureau of Supplies and Accounts, fiscal year 1920," for pay of classified employees is increased by the sum of \$500,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of the Interior," on page 24, after line 10, to insert:

PUBLIC BUILDINGS.

Old Telephone Exchange Building: For repairs and improvements to Old Telephone Exchange Building, 23 B Street NW., to make it an annex to the Senate Folding Room, 21 B Street NW., and to connect up both buildings with heating plant of Maltby Building, \$3,500, to be expended under the direction and supervision of the Superintendent of the Capitol Building and Grounds.

The amendment was agreed to.

The next amendment was, on page 25, after line 19, to insert:

GENERAL LAND OFFICE.

* Protecting public lands, timber, etc.: To reimburse the appropriation "Protecting public lands, timber, etc.," fiscal year 1920, for expenditures for protecting timber on the public lands from forest fires, \$160,000.

The amendment was agreed to.

The next amendment was, under the subhead "Patent Office," on page 26, line 8, after the word "from," to strike out "October" and insert "November"; and in line 12, after the words "in all," to strike out "\$14,700" and insert "\$13,066.99," so as to make the clause read:

For additional employees from November 1, 1919, to June 30, 1920, inclusive, at annual rates of compensation as follows: Clerks—1 of class 4, 1 of class 3, 2 of class 2, 2 of class 1, 2 at \$1,000 each, 2 at \$900 each; 15 copy pullers, at \$480 each; in all, \$13,066.99.

The amendment was agreed to.

The next amendment was, on page 26, after line 13, to insert:

For additional employees to bring up to date the trade-mark work of the Patent Office from November 1, 1919, to June 30, 1920, both dates inclusive, at annual rates of compensation as follows: First assistant examiner of trade-marks, \$2,400; 2 assistant examiners of trade-marks, at \$1,800 each; 2 assistant examiners of trade-marks, at \$1,500 each; and 2 clerks, at \$1,000 each; in all, \$7,333.34.

The amendment was agreed to.

The next amendment was, on page 27, after line 2, to insert:

TERRITORY OF ALASKA.

Alaskan Engineering Commission: For carrying out the provisions of the act approved March 12, 1914, entitled "An act to authorize the President of the United States to locate, construct, and operate railroads in the Territory of Alaska, and for other purposes," as amended, including expenses incident to conducting hearings and examining estimates for appropriations in Alaska, to be available until expended, \$17,000,000.

The amendment was agreed to.

The next amendment was, under the head of "Postal Service," subhead "Out of the postal revenues," on page 27, after line 13, to insert:

OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL.

For compensation to clerks and employees at first and second class post offices, \$750,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office of Third Assistant Postmaster General," on page 27, line 22, after "1919," to strike out "\$300,000" and insert "\$700,000," so as to make the clause read:

For 1919, \$700,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Justice," subhead "Salaries," after line 4, to insert:

For additional compensation to the chief clerk for services as general administrative agent of the Department of Justice, at the rate of \$1,000 per annum from November 1, 1919, to June 30, 1920, both dates inclusive, \$666.67.

The amendment was agreed to.

The next amendment was, on page 28, after line 8, to insert:

For additional compensation to the private secretary and assistant to the Attorney General for special assistance to the Attorney General, at the rate of \$1,000 per annum from November 1, 1919, to June 30, 1920, both dates inclusive, \$666.67.

The amendment was agreed to.

The next amendment was, on page 28, after line 13, to insert:

For additional compensation to the attorney in charge of pardons, at the rate of \$1,000 per annum from November 1, 1919, to June 30, 1920, both dates inclusive, \$666.67.

The amendment was agreed to.

The next amendment was, on page 29, after line 2, to insert:

For official transportation, including the purchase (if possible, from the War Department) or exchange, the maintenance, repair, and operation, of a motor-driven passenger car, delivery truck, and motor cycle, to be used only for official purposes, and purchase and repair of bicycles, \$5,000.

The amendment was agreed to.

Mr. WARREN. Mr. President, I ask that the next amendment, which is in reference to the enforcement of the antitrust law, be passed over for the present.

Mr. HARRISON. Mr. President, I should like to know what the request of the Senator from Wyoming is.

The PRESIDING OFFICER. It is to pass over the next committee amendment.

Mr. HARRISON. The amendment relating to the enforcement of the antitrust law?

The PRESIDING OFFICER. Yes. The Chair will state to the Senator from Mississippi that the amendment which will be passed over at the request of the Senator from Wyoming is under the heading "Miscellaneous—Enforcement of antitrust laws."

Mr. HARRISON. That is the amendment to which I desire to address myself.

The PRESIDING OFFICER. The amendment will be passed over.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 30, line 19, after the words "Attorney General," to insert "maintenance, purchase (if possible, from other Government services) and," so as to make the clause read:

Detection and prosecution of crimes: For the detection and prosecution of crimes against the United States; the investigation of the official acts, records, and accounts of marshals, attorneys, clerks, referees, and trustees of the United States courts and the Territorial courts, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time; for the protection of the person of the President of the United States; for such other investigations regarding official matters under the control of the Department of Justice or the Department of State as may be directed by the Attorney General, maintenance, purchase (if possible, from other Government services), and hire of motor-propelled or horse-drawn passenger-carrying vehicles when necessary; per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, to be expended under the direction of the Attorney General; in all, \$1,000,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Agriculture," on page 34, line 20, after the word "expenses," to strike out "\$25,000" and insert "\$70,000," so as to make the clause read:

To enable the Secretary of Agriculture to meet the emergency caused by the recent and sudden spread of the Japanese beetle in the State of New Jersey and to provide means for the control and prevention of spread of this insect in that State and to other States, in cooperation with the State of New Jersey and other States concerned and with individuals affected, including the employment of persons and means in the city of Washington and elsewhere, and all other necessary expenses, \$70,000.

The amendment was agreed to.

The next amendment was, under the subhead "Forest Service," on page 34, line 26, after "1920," to strike out "\$2,500,000" and insert "\$2,950,000," so as to make the clause read:

To enable the Secretary of Agriculture to meet the existing emergency and to pay expenses heretofore incurred or which may hereafter be incurred in fighting and preventing forest fires endangering the national forests during the fiscal year 1920, \$2,950,000.

The amendment was agreed to.

The next amendment was, under the head of "Department of Commerce," on page 35, after line 1, to strike out:

BUREAU OF THE CENSUS.

Authority is granted for the expenditure of not to exceed \$1,000 from the appropriation for the expenses of the Fourteenth Decennial Census, contained in the legislative, executive, and judicial appropriation act approved March 1, 1919, for the purchase, maintenance, and repair during the fiscal year 1920 of a motor-propelled passenger vehicle for official use of the Director of the Census.

The amendment was agreed to.

The next amendment was, under the subhead "Coast and Geodetic Survey," on page 35, after line 10, to strike out:

Office force: For an amount to increase the compensation of topographic and hydrographic draftsmen and the engineer directing their work, in no case to exceed 33 1/3 per cent of the present basic compensation of any such employee, \$12,000.

The amendment was agreed to.

The next amendment was, on page 35, after line 15, to strike out:

For additional topographic and hydrographic draftsmen from October 1, 1919, to June 30, 1920, inclusive, at annual rates of compensation as follows: Three at \$2,000 each; three at \$1,750 each; in all, \$8,437.50.

The amendment was agreed to.

The next amendment was, on page 35, after line 19, to insert:

For additional topographic and hydrographic draftsmen from November 1, 1919, to June 30, 1920, inclusive, at annual rates of compensation as follows: Three at \$2,000 each; three at \$1,750 each; in all, \$7,500.03.

The amendment was agreed to.

The next amendment was, on page 35, after line 23, to strike out:

For an amount to increase the compensation of copper-plate engravers, in no case to exceed 33 1/3 per cent of the present basic compensation of any such employee, \$5,000.

The amendment was agreed to.

The next amendment was, on page 36, after line 2, to strike out:

For additional employees from October 1, 1919, to June 30, 1920, inclusive, at annual rates of compensation as follows: Watchmen, firemen, messengers, or laborers, seven at \$840 each; plumber and steam fitter, \$1,200; in all, \$5,310.

The amendment was agreed to.

The next amendment was, on page 36, after line 7, to insert:

For additional employees from November 1, 1919, to June 30, 1920, inclusive, at annual rates of compensation as follows: Watchmen, firemen, messengers, or laborers, seven at \$840 each; plumber and steam fitter, \$1,200; in all, \$4,720.

The amendment was agreed to.

The next amendment was, on page 36, after line 10, to insert:

For an amount to increase the compensation of topographic and hydrographic draftsmen and the engineer directing their work, astronomical, geodetic, tidal, and miscellaneous computers, copper-plate engravers, lithographers, lithographic draftsmen, transferers, lithographic pressmen and their helpers, plate printers and their helpers, and other skilled laborers and the chief directing their work, and the disbursing clerk, in no case to exceed 33 1/3 per cent of the present basic compensation of such employee, \$35,622.23, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the head of "Department of Labor," on page 42, after line 10, to insert:

INDUSTRIAL CONFERENCE.

For stenographic and other services and contingent and miscellaneous expenses, including printing, in connection with the approaching industrial conference, \$35,000.

The amendment was agreed to.

The next amendment was, on page 42, after line 14, to insert:

INTERNATIONAL CONFERENCE OF LABOR.

For salaries and expenses of the International Conference of Labor, as follows:

United States Government executive staff: For two and one-half months, at monthly compensation as follows: Assistant to the Secretary, \$450; first assistant, \$300; three executive assistants, at \$200 each; two assistants at hotels, at \$200 each; private secretary, \$200; two stenographers, at \$150 each; typist, \$125; and two messengers, at \$75 each; in all, \$6,312.50.

Conference staff, for two months, at monthly compensation as follows: Two stenographers, at \$150 each; two deputy secretaries, at \$300 each; four subsecretaries (for commissions), at \$200 each; four interpreters, at \$200 each; three English-French translators, at \$125 each; three French-English translators, at \$125 each; six French stenographers at \$83.33 each; six English stenographers, at \$150 each; chief messenger, \$125; eight messengers, at \$75 each; expenses, at not exceeding \$10 per diem for each person, \$12,000; in all, \$22,749.96.

Chief clerk's office, for two months, at monthly compensation as follows: Chief clerk, \$200; assistant chief clerk, \$150; and stenographers, \$150; in all, \$1,000.

Telegraph room, for two months at monthly compensation as follows: Day operator, \$150; night operator, \$175; in all, \$650.

Expenses: For reporting proceedings, \$20,000; printing proceedings, \$10,000; paper, \$2,500; expenses of moving departments to provide offices, \$10,000; in all, \$42,500.

Total, International Conference of Labor, \$73,212.46: *Provided*, That all accounting in connection with the conference shall be done by the disbursing officer of the Department of Labor: *Provided further*, That no part of the money herein appropriated for the International Conference of Labor shall be available for the payment of an allowance for per diem expenses in lieu of subsistence to any person residing in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the head of "Legislative," on page 44, after line 1, to insert:

Botanic Garden: For pay to the statutory employees of the Botanic Garden, at rates to be fixed by the superintendent, \$2,150.

The amendment was agreed to.

The next amendment was, on page 44, after line 4, to insert:

SENATE.

For additional expenses of reporting and transcribing the debates and proceedings of the Senate and to equalize more nearly the amounts paid by the Senate and the House of Representatives for reporting their respective proceedings from June 1, 1919, to June 30, 1920, payable in equal monthly installments from October 1, 1919, \$10,716.66.

The amendment was agreed to.

The next amendment was, on page 44, after line 11, to insert:

For pay to the chief telephone operator, office of the Sergeant at Arms of the Senate, \$300.

The amendment was agreed to.

The next amendment was, on page 44, after line 13, to insert:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding \$1 per printed page, \$135,000.

The amendment was agreed to.

The next amendment was, on page 44, after line 18, to insert:

For maintaining, exchanging, and equipping motor vehicles for carrying the mails, and for official use of the offices of the Secretary and Sergeant at Arms, fiscal year 1919, \$1,033.85.

The amendment was agreed to.

The next amendment was, on page 44, after line 22, to insert:

For fuel, oil, cotton waste, and advertising, exclusive of labor, fiscal year 1919, \$400.97.

The amendment was agreed to.

The next amendment was, on page 44, after line 24, to insert:

For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, \$10,000.

The amendment was agreed to.

The next amendment was, on page 46, after line 5, to insert:

JUDGMENTS, UNITED STATES COURTS.

For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the act of March 3, 1887, entitled "An act to provide for the bringing of suits against the Government of the United States," certified to Congress during the present session by the Attorney General in Senate Document No. 100, and which have not been appealed, namely:

Under the War Department, \$1,578.90;

Under the Navy Department, \$7,725.05;

In all, \$9,303.95, together with such additional sum as may be necessary to pay interest on the respective judgments at the rate of 4 per cent per annum from the date thereof until the time this appropriation is made.

The amendment was agreed to.

The next amendment was, on page 46, after line 19, to insert:

JUDGMENTS, COURT OF CLAIMS.

For payment of the judgments rendered by the Court of Claims and reported to Congress during the present session in Senate Documents Nos. 102 and 125, namely:

Under the Treasury Department, \$61,300.20;

Under the War Department, \$26,038.60;

Under the Navy Department, \$29,076.13;

Under the Interior Department, \$215.76;

In all, \$116,630.69.

None of the judgments contained herein shall be paid until the right of appeal shall have expired.

The amendment was agreed to.

The next amendment was, on page 47, after line 21, to insert:

SEC. 4. Public act No. 152, Sixty-fifth Congress, entitled "An act authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government," is hereby repealed.

Mr. OVERMAN. I make the point of order that the amendment is in contravention of Rule XVI, being new legislation and repealing an act now existing.

The PRESIDING OFFICER (Mr. KIRBY in the chair). What is the point of order?

Mr. OVERMAN. I raise the point of order that the amendment is new legislation and proposes on an appropriation bill to repeal a law now existing.

Mr. WARREN. Mr. President, I can not contest—

The PRESIDING OFFICER. Does the Senator from Wyoming desire to be heard on the point of order?

Mr. WARREN. I do not. I simply wish to say that I am sorry the Senator from North Carolina has made the point of order. The Senator from North Carolina knows more about the existing law than does anyone else, as he was its originator, and it has undoubtedly done a great deal of good, but at the present time it is a load upon the back of the Appropriations Committee. Congress hardly has possession of its own, and matters come to the Appropriations Committee for which provision must be made which have come about because of the existence of the law. I hope the condition requiring the law may soon end.

The PRESIDING OFFICER. If the point of order is insisted upon, it is well founded and must be sustained.

Mr. OVERMAN. Mr. President, I am aware that the Chair has ruled the amendment out of order, but in reply to the Senator from Wyoming I desire to put in the RECORD a letter from the Secretary of War in regard to this matter. The act referred to expires, in any event, six months after the declaration of peace, but the Secretary of War says that to repeal the act before some legislation is passed to take its place would be a calamity, and shows that he could not have won the war without the legislation.

The PRESIDING OFFICER. Without objection, the letter will be printed in the RECORD.

The letter referred to is as follows:

WAR DEPARTMENT,
Washington, March 31, 1919.

HON. LEE S. OVERMAN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: I beg leave to reply to your letter of March 10, 1919, in which you request information as to the use made by the War Department of the provisions of the Overman Act.

This act has very materially facilitated and expedited the task of the War Department in organizing, training, transporting, equipping, and maintaining the Army. It has permitted a centralization of control, a coordination of effort, a flexibility of organization to meet changing requirements and an increased efficiency in the procurement and distribution of material and supplies, including an elimination of competitive purchasing and a standardization of specifications and procedure, without which the military program which had been so successfully carried out by this country would have been impossible of realization.

Estimates of requirements and the purchase and distribution of all equipment and supplies, except that very highly technical, has been consolidated under the direction of the Purchase, Storage and Traffic Division of the General Staff. This has prevented duplication and a condition formerly frequently occurring, a shortage of supplies in one branch of the service while another had temporarily a surplus. The same result particularly as to avoiding duplication of equipment and effecting economy was obtained by the consolidation of all motor transportation under another branch of the General Staff.

The consolidation, under the Chemical Warfare Service, of the research work involved in the development of new and improved offensive and defensive chemical warfare material, and the reorganization of the Air Service, have been very potent factors in the result attained in these very important services.

In view of the marked economy and the increased efficiency that has been made practicable under the provisions of this act, I believe that it would be a misfortune if it were revoked before such time as new legislation of a permanent nature, based upon the experience of the war, may be enacted.

Below you will find specified the rearrangement of duties and responsibilities that have been effected within the bureaus of the War Department:

1. Assigned to the Purchase, Storage and Traffic Division of the General Staff: Requirements, purchase, storage, distribution, fiscal accounting and property accounting. Transferred from Ordnance Department, Quartermaster Corps, Signal Corps, Engineer Corps, and Medical Corps.

The duties transferred include:

(a) Office of the Director of Purchase, Storage and Traffic, General Staff. Duties: Responsibility for and authority over—

(1) Supply of the Army, including analysis and computation of requirements, purchase, production, inspection, acceptance, transportation, storage, issue within the United States, and embarkation.

(2) Relations with all other agencies, governmental and otherwise, in regard to Army supply, including representation of the War Department on the War Industries Board and business with representatives of the allied Governments.

(b) Facilities Department. Duties: Responsibility for and authority over procurement of real estate.

(c) Accounts Department. Duties: Responsibility for and authority over disbursements, fiscal accounting, preparation of estimates, and reports of accounts.

(d) Traffic Department. Duties: Responsibility for and authority over inland transportation.

(e) Embarkation Department. Duties: Responsibility for and authority over embarkation and ocean transportation.

The procurement of highly technical equipment and supplies not transferred—

(1) By the Corps of Engineers: Arc searchlights and gas-electric generators.

(2) By the Medical Corps: Vaccines and serums.

(3) By the Ordnance Department: Cartridge cloth, blast furnace and steel mill products, substantially all metals, coal tar, coal gas and water gas products, optical glass and optical instruments, acids, etc.

(4) By the Bureau of Aircraft Production: Aeroplanes, Liberty motors, barometers, clocks, watches, gauges, thermometers, compasses, etc.

(5) By the Chemical Warfare Service: All chemicals entering into the production of toxic gases, liquid chlorine, laminated glass, etc.

2. To the Bureau of Aircraft Production and the Division of Military Aeronautics: The production of airplanes, airplane engines and equipment and the duty of operating and maintaining or supervising the operation and maintenance of military aircraft, including balloons, airplanes, and all aircraft equipment. Transferred from the Signal Corps.

3. To the Motor Transport Corps, a section of the Operations Division, General Staff: The design, production, procurement, storage, maintenance and replacement of all motor vehicles and accounting for the same. Transferred from Quartermaster Corps, Ordnance Department, Engineer Corps, Medical Corps, and Signal Corps.

4. To the Chemical Warfare Service: The duty of operating and maintaining or supervising the operation and maintenance of all plants engaged in the investigation, manufacture, or production of toxic gases, gas-defense appliances, the filling of gas shells, and proving grounds utilized in connection therewith, and the necessary research connected with gas warfare. Transferred from the Ordnance Department, Sanitary Corps, Medical Corps, and the Experimental Station, American University.

Cordially, yours,

NEWTON D. BAKER,
Secretary of War.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 48, after line 2, to insert:

AUDITED CLAIMS.

SEC. 5. That for the payment of the following claims certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1917 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 94, reported to Congress at its present session, there is appropriated as follows:

CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For collecting the revenue from customs, 58 cents.
For freight, transportation, etc., Public Health Service, \$243.00.
For care of seamen, etc., Public Health Service, \$63.
For preventing the spread of epidemic diseases, \$3.75.
For Quarantine Service, \$2.78.

For refunding internal revenue collections, \$5.
For miscellaneous expenses, Internal Revenue Service, \$7.18.
For refunding taxes illegally collected, \$101,314.82.
For redemption of stamps, \$3,287.29.
For payment of judgments against internal-revenue officers, \$147,874.77.
For allowance or drawback, internal revenue, \$5,314.50.
For Coast Guard, \$4,683.73.
For pay of crews, miscellaneous expenses, etc., Life-Saving Service, 95 cents.
For materials and miscellaneous expenses, Bureau of Engraving and Printing, \$3,441.35.
For contingent expenses, assay office at New York, 69 cents.
For operating supplies for public buildings, \$15.41.
For furniture and repairs of same for public buildings, \$259.61.
For repairs and preservation of public buildings, \$12.82.
For mechanical equipment for public buildings, \$2.45.
For general expenses of public buildings, \$35.01.

Mr. WARREN. The section containing the amendment just stated by the Secretary will have to be numbered section 4. I ask that the Secretary may be allowed to renumber the sections, and that the bill may be printed accordingly.

The PRESIDING OFFICER. Without objection, the Secretary will be instructed to correct the section numbers. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 49, after line 18, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For contingencies of the Army, 1918, \$5,000.
For Signal Service of the Army, \$434.86.
For pay, etc., of the Army, \$438,866.44.

Mr. KING. Mr. President, I should like to ask the chairman of the committee, inviting his attention to the bottom of page 49, as to the item of \$438,866.44, how such a large deficit was permitted?

Mr. WARREN. I may say that this appropriation includes thousands of little items that have accumulated and are reported in a public document and sent to Congress. All these items are taken up before the proper officers and audited, and we put them in here, giving the number of the document, so that the Senators may see the document, the committee having established the correctness of the items before including the appropriations in the bill. They are simply debts owed by the Government which have been adjudicated, but the money is not in the Treasury for the purpose of meeting them. Some of these claims, in fact the larger portion of them, arise where we make appropriations that are not used up on the 1st of July, when the money goes back into the Treasury, although bills are on the way from the Philippines or from France or other distant points which are payable under the appropriations and should be paid, but can not be paid because of the money having gone back into the Treasury. Hence we have these audited claims provided for in this bill.

Mr. KING. It would not mean, then, that some of the officers of the War Department had made expenditures not authorized by law?

Mr. WARREN. No; nothing of that kind. In fact these items assume the same attitude as judgments of courts, so far as the exactness of the amounts is concerned.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, at the top of page 50, to insert:

For extra-duty pay to enlisted men as clerks, etc., at Army division and department headquarters, \$1,018.70.
For mileage to officers and contract surgeons, \$121.12.
For supplies, services, and transportation, Quartermaster Corps, \$29,629.48.
For transportation of the Army and its supplies, \$39.54.
For barracks and quarters, \$15,346.45.
For regular supplies, Quartermaster's Department, \$56.67.
For roads, wharves, walks, and drainage, \$2,541.01.
For quarters for hospital stewards, \$5.
For transportation of rifle teams to national matches, \$108.88.
For encampments and maneuvers, Organized Militia, \$124.80.
For civilian military training camps, \$828.44.
For medical and hospital department, \$10.
For burial of indigent soldiers, \$81.
For disposition of remains of officers, soldiers, and civil employees, \$234.38.
For maintenance of channel, South Pass, Mississippi River, 1918, \$900.

The amendment was agreed to.

The next amendment was, at the top of page 51, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

For contingent expenses, Navy Department, 1918, \$10,271.73.
For contingent and miscellaneous expenses, Naval Observatory, 50 cents.
For pay, miscellaneous, \$18.75.
For pay, Marine Corps, \$228.80.

For contingent, Marine Corps, \$837.20.
 For maintenance, quartermaster's department, Marine Corps, \$1,036.08.
 For pay of the Navy, \$1,779.59.
 For freight, Bureau of Supplies and Accounts, \$20.67.
 For engineering, Bureau of Steam Engineering, \$15.15.

The amendment was agreed to.

The next amendment was, on page 51, after line 14, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

For contingent expenses, Department of the Interior, 1918, \$2,102.05.
 For contingent expenses, Department of the Interior, \$135.95.
 For scientific library, Patent Office, \$59.20.
 For return of funds of patients, St. Elizabeths Hospital, \$7.00.
 For Capitol power plant, 1919, \$10,000.
 For surveying public lands, \$554.
 For Geological Survey, \$8.38.
 For investigating mine accidents, \$92.47.
 For books and publications, Bureau of Mines, \$37.39.
 For testing fuel, Bureau of Mines, \$138.80.
 For enforcement of the act to regulate explosives, Bureau of Mines, 1919, \$25.05.
 For fees of examining surgeons, pensions, \$42.
 For relieving distress and prevention, etc., of diseases among Indians, \$6.60.
 For Indian schools, support, \$27.47.
 For Indian school and agency buildings, \$218.40.
 For Indian school transportation, \$11.58.
 For purchase and transportation of Indian supplies, 1918, \$15,617.62.
 For purchase and transportation of Indian supplies, \$786.80.
 For telegraphing and telephoning, Indian Service, 1918, \$231.93.
 For telegraphing and telephoning, Indian Service, 19 cents.
 For general expenses, Indian Service, \$28.98.
 For water supply, Papago Indian villages, Arizona, 1918, \$69.45.
 For Indian school, Fort Mojave, Ariz., repairs and improvements, 1918, \$612.35.
 For Indian school, Fort Bidwell, Calif., 1918, \$2.90.
 For support of nonreservation Indians in Nevada, 1918 and 1919, \$1.87.
 For Indian school, Chilocco, Okla., repairs and improvements, 1919, \$22.23.
 For Indian school, Carlisle, Pa., \$88.33.
 For support of Sioux of different tribes, subsistence and civilization, South Dakota, \$26.07.
 For Indian school, Rapid City, S. Dak., repairs and improvements, 1918, \$69.33.
 For education, Sioux Nation, South Dakota, \$60.90.

The amendment was agreed to.

The next amendment was, on page 53, after line 10, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

For stationery, furniture, etc., Department of State, 1918, \$5.40.
 For transportation of diplomatic and consular officers, 1919, \$1,267.14.
 For transportation of diplomatic and consular officers, \$1,786.45.
 For contingent expenses, foreign missions, 1919, \$6.632.
 For contingent expenses, foreign missions, 1918, \$52,620.95.
 For contingent expenses, foreign missions, \$10,229.33.
 For salaries, Consular Service, \$2,897.61.
 For post allowances, to diplomatic and consular officers, \$100.
 For allowance for clerks at consulates, \$415.20.
 For contingent expenses, United States consulates, 1919, \$43,229.61.
 For contingent expenses, United States consulates, 1918, \$96,859.54.
 For contingent expenses, United States consulates, \$466.50.
 For relief and protection of American seamen, 1918, \$2,359.68.
 For relief of protection of American seamen, \$251.27.
 For Smithsonian Institution, preservation of collections, National Museum, \$16.95.
 For miscellaneous expenses, Supreme Court, District of Columbia, 1919, \$354.06.
 For support of convicts, District of Columbia, 1919, \$24,039.
 For general expenses, Bureau of Animal Industry, \$44.73.
 For meat inspection, Bureau of Animal Industry, \$50.13.
 For general expenses, Bureau of Plant Industry, 50 cents.
 For general expenses, Forest Service, \$1,404.20.
 For enforcement of the food and drugs act, \$22.84.
 For general expenses, Bureau of Biological Survey, \$3.45.
 For general expenses, States Relations Service, \$294.88.
 For general expenses, Office of Markets and Rural Organization, \$161.28.
 For general expenses, Office of Public Roads and Rural Engineering, \$25.25.
 For general expenses, Weather Bureau, \$10.
 For library, department of agriculture, \$16.10.
 For general expenses, Lighthouse Service, \$2,061.20.
 For miscellaneous expenses, Bureau of Fisheries, \$15.22.
 For equipment, Bureau of Standards, \$133.
 For expenses of regulating immigration, \$24.
 For contingent expenses, Department of Justice, stationery, 1919, \$81.
 For contingent expenses, Department of Justice, transportation, 1919, \$95.62.
 For contingent expenses, Department of Justice, miscellaneous items, 1919, \$270.94.
 For contingent expenses, Department of Justice, miscellaneous items, \$4.
 For books for judicial officers, \$11.50.
 For inspection of prisons and prisoners, 1919, \$358.38.
 For salaries and expenses of district attorneys, United States courts, \$157.80.
 For fees of clerks, United States courts, 1918, \$1,073.95.
 For fees of clerks, United States courts, \$63.50.
 For fees of commissioners, United States courts, 1918, \$1,113.91.
 For fees of commissioners, United States courts, \$9.85.
 For fees of jurors, United States courts, \$4.
 For fees of witnesses, United States courts, \$8.75.
 For miscellaneous expenses, United States courts, \$24.30.
 For supplies for United States courts, 1918, \$28.84.
 For support of prisoners, United States courts, \$20.

The amendment was agreed to.

The next amendment was, on page 56, after line 10, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE POST OFFICE DEPARTMENT.

For shipment of supplies, \$22.43.
 For freight on stamped paper and mail bags, \$208.89.
 For Star Route Service, special mail carriers, \$47.92.
 For indemnities, international registered mail, \$996.25.
 For railroad transportation, \$2,943.63.
 For Rural Delivery Service, \$174.06.
 For rent, light, and fuel, \$845.49.
 For Railway Mail Service, miscellaneous expenses, \$6.73.
 For village delivery service, \$490.50.
 For office appliances, \$45.50.
 For clerks, first and second class post offices, \$43.75.
 For city delivery, incidental expenses, \$15.70.
 For city-delivery carriers, \$17.27.
 For Railway Mail Service, salaries, \$50.89.
 For compensation to postmasters, \$72.05.
 For indemnities, domestic mail, \$19.51.
 Total, audited claims, section 5, \$1,160,333.82.

The amendment was agreed to.

The next amendment was, on page 57, after line 5, to insert:

AUDITED CLAIMS.

SEC. 6. That for the payment of the following claims, certified to be due by the several accounting officers of the Treasury Department under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1917 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 120, reported to Congress at its present session, there is appropriated as follows:

CLAIMS ALLOWED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For collecting the revenue from customs, \$2.10.
 For refunding internal-revenue collections, \$20.
 For refunding taxes illegally collected, \$123,690.81.
 For redemption of stamps, \$496.41.
 For allowance of drawback, \$13.18.
 For Coast Guard, \$2,129.29.
 For operating supplies for public buildings, \$6.79.
 For furniture and repairs of same for public buildings, \$119.50.
 For repairs and preservation of public buildings, \$168.24.
 For mechanical equipment for public buildings, \$42.13.

The amendment was agreed to.

The next amendment was, on page 58, after line 6, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For pay, etc., of the Army, \$508.76.
 For extra-duty pay to enlisted men as clerks, etc., at Army division and department headquarters, \$170.50.
 For supplies, services, and transportation, Quartermaster Corps, \$1,258.53.
 For arming, equipping, and training the National Guard, \$2.71.
 For civilian military training camps, \$29.17.
 For headstones for graves of soldiers, 62 cents.
 For disposition of remains of officers, soldiers, and civil employees, \$60.96.

The amendment was agreed to.

The next amendment was, on page 58, after line 20, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

For contingent, Marine Corps, \$128.80.
 For pay of the Navy, \$1,130.25.

The amendment was agreed to.

The next amendment was, at the top of page 59, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

For contingent expenses, Department of the Interior, 25 cents.
 For contingent expenses, Department of the Interior, 1918, \$30.73.
 For collecting statistics, Bureau of Education, \$44.32.
 For Columbia Hospital for Women and Lying-in Asylum, 1919, \$1,040.20.
 For Hawaii National Park, 1919, \$1.85.
 For protection of national monuments, 1919, \$451.85.
 For reproducing plats of surveys, General Land Office, 1919, \$144.50.
 For Geological Survey, \$6.50.
 For mineral mining investigations, Bureau of Mines, \$1,729.70.
 For investigations, petroleum and natural gas, Bureau of Mines, \$5.11.
 For inspecting mines in Alaska, \$1.75.
 For enforcement of the act to regulate explosives, Bureau of Mines, 1919, \$1,410.80.
 For relieving distress, and prevention, etc., of diseases among Indians, \$8.99.
 For Indian school and agency buildings, \$61.70.
 For purchase and transportation of Indian supplies, 1918, \$655.58.
 For pay of Indian police, \$100.98.
 For water supply, Navajo and Hopi Indians, Arizona (reimbursable), 1918 and 1919, \$499.08.
 For Indian school, Riverside, Calif., 1919, 109.28.
 For Indian school, Lawrence, Kans., 1919, \$53.57.
 For Indian school, Cherokee, N. C., 1919, \$1.02.
 For Indian school, Bismarck, N. Dak., \$11.55.
 For Indian school, Wahpeton, N. Dak., 1919, \$5.09.
 For support of Chippewas of Lake Superior, Wis., 1919, \$86.50.
 For Indian school, Hayward, Wis., repairs and improvements, 1918, \$17.94.

The amendment was agreed to.

The next amendment was, on page 60, after line 14, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

For contingent expenses, Executive office, 50 cents.
 For contingent expenses, Department of State, 1919, \$383.25.
 For stationery, furniture, etc., Department of State, 1919, \$868.43.
 For transportation of diplomatic and consular officers, \$1.15.
 For transportation of diplomatic and consular officers, 1919, \$3,759.70.
 For salaries of secretaries, Diplomatic Service, \$1,968.75.
 For contingent expenses, foreign missions, \$269.70.

For contingent expenses, United States consulates, 1918, \$8,411.07.
 For contingent expenses, United States consulates, 1919, \$13,310.14.
 For relief and transportation of destitute American citizens in Mexico, \$18.
 For Board of Mediation and Conciliation, 31 cents.
 For miscellaneous expenses, Supreme Court, District of Columbia, 1919, \$592.37.
 For general expenses, Bureau of Plant Industry, \$8.57.
 For general expenses, Weather Bureau, \$4.27.
 For equipment, Bureau of Standards, \$131.55.
 For general expenses, Bureau of Standards, \$2.85.
 For color standardization, Bureau of Standards, \$13.11.
 For equipping chemical laboratory building, Bureau of Standards, \$70.
 For radio research, Bureau of Standards, \$61.87.
 For testing miscellaneous materials, Bureau of Standards, \$8.20.
 For testing structural materials, Bureau of Standards, \$10.05.
 For general expenses, Lighthouse Service, \$11.700.
 For expenses of regulating immigration, \$1.164.
 For expenses of regulating immigration, 1917 and 1918, \$47,028.85.
 For general expenses, Children's Bureau, \$7.78.
 For detection and prosecution of crimes, \$127.61.
 For contingent expenses, Department of Justice, miscellaneous items, 1919, \$596.84.
 For contingent expenses, Department of Justice, transportation, 1919, \$46.35.
 For salaries, fees, and expenses of marshals, United States courts, \$98.76.
 For support of prisoners, United States courts, \$80.85.
 For salaries and expenses of district attorneys, United States courts, \$39.
 For fees of commissioners, United States courts, 1918, \$65.60.

The amendment was agreed to.

The next amendment was, on page 62, after line 16, to insert:

CLAIMS ALLOWED BY THE AUDITOR FOR THE POST OFFICE DEPARTMENT.

For indemnities, international mail, \$273.45.
 For railroad transportation, \$1,140.43.
 For star route service, special mail carriers, \$4.77.
 For shipment of supplies, \$20.18.
 For Railway Mail Service, \$2.40.
 For equipment, City Delivery Service, \$18.68.
 For unusual conditions at post offices, \$110.89.
 For clerks, first and second class post offices, \$202.01.
 For clerks, third-class post offices, \$37.50.
 For city delivery carriers, \$20.70.
 For Rural Delivery Service, \$3.33.
 For Railway Mail Service, miscellaneous expenses, \$1.72.
 For foreign mail transportation, \$124,777.87.
 Total audited claims, section 6, \$353,920.50.

The amendment was agreed to.

The reading of the bill was concluded.

Mr. WARREN. Now, Mr. President, I ask to return to the first amendment that was passed over.

The PRESIDING OFFICER. The Secretary will state the first amendment passed over.

The SECRETARY. The first amendment passed over is on page 13, line 22, after the word "abroad," where it is proposed to insert:

Advertising, \$1,000,000.

Mr. McKELLAR. Mr. President, that particular amendment is to be considered in connection with the amendment on page 14, which provides as follows:

The Secretary of the Treasury and the Postmaster General shall formulate and promulgate such regulations as will enable persons insured under the provisions of the war-risk insurance act to make payments of premiums at such post offices or branches or stations of post offices as they may designate or to any city letter carrier or rural carrier while on duty. The Post Office Department is hereby authorized and directed to receive sums so tendered in payment of such premiums, and to receive and transmit to the Bureau of War Risk Insurance applications for the reinstatement of lapsed insurance.

Of course, there can be no question about the fact that this provision is new legislation and subject to a point of order. I really do not know that it is necessary to discuss the matter at all, because if there is no question about its being subject to the point of order I will merely make the point of order against the provision.

Mr. WARREN. I understand the Senator is referring to the amendment on page 14.

Mr. McKELLAR. I am referring to that part of the amendment which is on page 14. I take it the chairman of the committee admits that it is subject to a point of order.

Mr. WARREN. You mean lines 9 to 19?

Mr. McKELLAR. Lines 9 to 19 on page 14.

Mr. SMOOT. Mr. President, before the point of order is pressed by the Senator from Tennessee, I simply want to take time enough to let the Senate know really what is intended by this amendment.

It is well known by all Senators that there were some 4,700,000 insurance policies issued to the soldiers, sailors, and marines of the Army and Navy. To-day we find that there are less than 1,000,000 of them in force. If we are going to continue the War Risk Bureau, and if we are going to try to issue insurance for the soldiers, sailors, and marines of the Army and the Navy, we ought to provide the simplest and most inexpensive means for those soldiers, sailors, and marines to pay their monthly premiums. I know that the director of the bureau claims, whether it be true or not, that the great majority

of the 3,700,000 lapses come about from the fact that the soldier does not know where to send his money, he is not prepared to write his letters every month, and there is no place where he can take his money and pay his monthly insurance dues, as would be the case if he were carrying insurance with a regular life insurance company.

Mr. President, there is only one agency and one organization that is in force to-day in the Government of the United States that can take care of this situation without much cost to the Government, and that is the Post Office Department. I am not discussing whether or not it is a good thing to maintain the War Risk Bureau, nor does this amendment have anything to do with that question. But as long as there are at least a million policies in force, and with the hope of the bureau officials that they will be increased threefold, the way to make it as convenient for the soldier to pay his premium as possible is to provide that the soldier has but to drop into any post office in any town or city in the United States designated to receive these premiums, pay his money, and get his receipt. He need send no letters, he receives no letters, he knows that his premium is paid, and there is no question of delay in carrying the mail from where he lives to Washington, passing through the hands of the bureau here, returning the letter to the soldier. Perhaps, he not being home, the receipt is lost in the mail, and other things could happen that would make it very inconvenient for the soldier.

Mr. KING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to his colleague?

Mr. SMOOT. I yield.

Mr. KING. Does not my colleague think that before inaugurating a policy so radical as that contemplated by this amendment it is important for Congress to decide whether it purposes to continue this war-risk insurance activity longer? If the Senator will pardon me, I received the impression when we passed the war-risk insurance bill that upon the termination of the war a paid-up policy of insurance for a given amount—whatever would be right and just under the tables that obtain in insurance companies—would be given to each soldier and sailor, or that some arrangement would be made with one or more life insurance companies of the United States by which there would be transferred from the Government to such companies the various policies then in force and suitable arrangements would be made for the insurance companies to take the place of the Government, if necessary the Government to pay whatever would be fair for the increased cost that would be incident to the companies carrying and meeting the obligations under the policies. I certainly did not get the idea, and I am sure that many other Senators did not, that the Government was projecting itself into the life insurance business for an indefinite period, and that it purposed to continue to carry these four or five millions of policies as long as any of the persons holding the policies were alive.

It seems to me the first thing for Congress to do is to determine whether it is going to adhere to the plan then announced or whether the Government is to enter the general life insurance business for an indefinite period. Before I would be prepared to vote upon this proposition, which is concededly new legislation, and which, it seems to me, if enacted, would tend to fasten more firmly than ever the insurance business upon the Government, I should like to know what the policy of the Government is going to be.

Mr. SMOOT. I will say in answer to my colleague that the unfortunate thing was that the policy which the Senator has just outlined was not adopted by Congress. Some of us took the position at the time that that should be the policy of the Government, but that the Government should, for the extra risk assumed during the war, see that soldiers were given insurance at the regular insurance rate in peace times, but shortly after the war terminated that the activities of the Government in carrying insurance policies for its discharged soldiers, sailors, and marines would cease. But Congress took the other view and by the legislation has put the Government into the insurance business.

The law specifically provides that the present term insurance can be carried by the insured for a period of five years after peace is declared. Then it also provides that at the end of five years each of the insured has the right to transfer that insurance into forms of insurance carried to-day by the old-line insurance companies.

Mr. President, that is what Congress decided, and in order to change that there must be a repeal of the law. But as long as the law is upon the statute books it is our duty to make the payment of these premiums as convenient to the insured as possible.

Mr. President, I offered this amendment to the bill not only with the view of making it as convenient as possible for the insured, but to make it as inexpensive to the Government as possible. Of course, I recognize that this is general legislation upon an appropriation bill. I am not going to resist any question of its being such, and if the point of order is made against it I expect the Chair to sustain the point of order.

Mr. KING. Without expressing any opinion one way or the other, I ask my colleague whether he thinks that, notwithstanding the legislation to which he has just adverted, which perpetuates these policies for a period of five years, at the expiration of which time some change may then be made, the obligation rests upon the Government to spend a million dollars or more in advertisements setting forth inducements for the further payment of premiums upon lapsed or lapsing policies? Should the Government spend a million dollars or more and incur millions of dollars of expense annually in other directions for the purpose of inducing men to take out insurance or to continue the payment of their premiums from year to year? I express no opinion upon this question, because my information upon the matter is not sufficient to enable me to form an intelligent judgment. I can see some reasons why this should be done, and I can perceive some serious objections to this course. Should it not be a voluntary matter on their part, and should the Government be called upon to induce them to continue their insurance?

Mr. SMOOT. There is only one reason I can give my colleague for the Government of the United States doing it, and that is that if this insurance is carried as Congress intended it would be carried it would in a way prevent in the future our soldiers, our sailors, and our marines from applying for pensions from the Government. It is true that in that same legislation we provided allowances for soldiers who were wounded in service, and in connection with that Congress thought it wise to provide an insurance system, so that in case of death of the insured there would come to the beneficiary an amount which, if reasonably and safely handled, would be sufficient to assist in taking care of his or her absolute necessities of life.

If my colleague were here at that time he would remember that I stated to the Senate then, as my opinion now is, that no matter what the insurance might be, whether a million of them carried insurance or whether five million did so, the time would come when there would be applications made for pensions by the soldiers of the late World War.

The million-dollar advertising is, I think, for the purpose of carrying out a system of advertising following in part the plan adopted in our Liberty loan campaigns. I expect, if we give this appropriation, to see posters in the windows of public buildings, and on the fences along the roadside, advising the soldiers and sailors and marines of the last war to carry life insurance, to reinstate that which has already lapsed. There is no effort upon the part of the director of the bureau to hide the fact that the bureau is going to do everything it can, everything that is in its power, and spend every dollar that the Government will give it, to get all of the soldiers, sailors, and marines who have allowed their insurance to lapse to reinstate it.

Sensors must know that the ruling of the Treasury Department made of late, granting the privilege of reinstating insurance allowed to lapse, and do not compel them to pay for the insurance during the months when not carried, but they can take up, at any time now within a given period, the amount of insurance that was originally taken and go on with it just the same as before they permitted the insurance to lapse.

Mr. WARREN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Wyoming?

Mr. SMOOT. And every effort will be made to see that every soldier of the war carries the amount of insurance that he had during his service in the war. I yield to the Senator from Wyoming.

Mr. WARREN. My colleague upon the Committee on Appropriations [Mr. Smoot] serves on other subcommittees than this one, and so did not get one part of the testimony of the War Risk Insurance Bureau Director. It is true, as the Senator says, that the Treasury Department has given out the length of time as, I think, a year within which these men may renew their insurance and take it all up again; but the director, in answer to advice given him by the committee that the Government did not intend to prolong the insurance business as such, and had no interest in undertaking to have men renew who wished to drop their insurance, assured the committee that from now on his only ambition would be, and his labors would only be, to reach everyone at least once, so that a man might know where to communicate his wishes and that he might get

a reply. Hence the advertising matter that comes in appears to be useful, that these men may know where and when and how to dispose finally of this insurance matter—whether they will drop it; whether they will convert it into a different kind of policy; or whether they will renew the old policy and go on with that.

Mr. SMOOT. Mr. Cholmeley-Jones, the director of the bureau, has been in my office many times upon this question. Not only that, but the subcommittee of the Finance Committee has before it now a bill that was passed in the House amending the war-risk insurance act so as to extend its provisions to a larger range of beneficiaries. I am perfectly willing that the act should be amended in that regard. It also provides that in case of death insurance shall be paid in one lump sum or in 36 monthly payments. I want to say to the Senate, as was said here by many of the members of the committee not long ago, that the lump-sum payment plan was prohibited in the original act, for the reason that experience shows that wherever an insurance company pays to a beneficiary the full amount of the insurance in a lump sum that within three years' time 92 per cent of all of the beneficiaries are without a dollar of the money received. Congress provided for 240 monthly payments, covering a period of 20 years, during which the beneficiaries of the insured should at least have enough to assist in taking care of their necessary wants. The beneficiary of a soldier carrying insurance of \$10,000 under the present act would receive from the Government of the United States \$57.50 every month for 20 years. It is now proposed in the bill that has passed the House, and which is before the subcommittee of the Committee on Finance of the Senate, to change that whole system and provide that the full amount of the insurance shall be paid to the beneficiaries of the insured in a lump sum. The reason for that is given by Mr. Cholmeley-Jones, the director of the bureau, that they have to liberalize the act in order to compete with the insurance companies of the country. I know that many of the posts of the American Legion have already passed resolutions in which they indorse the principle of a lump-sum payment. I do not know whether Congress intends to change the policy or not, but I want to say this now, that if the policy is changed it may be of benefit to a very small percentage of the beneficiaries of the insured soldiers, but as to the great bulk of those beneficiaries it will be a decided disadvantage and they will find themselves in a few years after receiving the money with not a single cent of it left.

Mr. THOMAS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Colorado?

Mr. SMOOT. I yield.

Mr. THOMAS. May I ask the Senator what the aggregate sum of these payments will be if they are made in the lump sum?

Mr. SMOOT. Insurance policies run all the way from \$2,000 up to \$10,000. Ten thousand dollars was the limit under the law, but the average, I will say to the Senator, is about \$8,750.

Mr. THOMAS. The Senator misunderstood my question. If we pay these amounts in one sum, practically, what will be the drain on the Treasury?

Mr. SMOOT. Yes, I misunderstood the Senator.

Mr. WARREN. Mr. President, here is the statement of the business of the War Risk Insurance Bureau, showing that we have estimated profits of over \$17,000,000, and showing what has been done by the bureau, giving the amount of money received and expended. I think it ought to go into the Record.

Mr. SMOOT. Let it go in the Record at this point.

Mr. WARREN. I do not want to take the Senator from the floor to have this done, but I think it covers the point very fully.

The PRESIDING OFFICER. Without objection, the excerpt referred to by the Senator—

Mr. SMOOT. That does not cover the point which the question of the Senator from Colorado implied.

Mr. WARREN. He wants to know what the drain is on the Treasury, how much has been paid out.

Mr. SMOOT. There has been no lump sum paid out.

Mr. THOMAS. As I understand the Senator from Utah, the House has passed a bill which is now before a committee of the Senate, which substitutes what is popularly called a lump-sum payment for these annual payments extending over a period of 20 years. If we are to pay these soldiers in that manner the aggregate drain upon the Treasury must be very large, and I wanted to get an approximate idea of the amount.

The PRESIDING OFFICER. The Chair will state to Senators that the discussion has taken rather a wide range on the point of order. The Chair understands that the point of order is still pending and that is the only matter now before the Senate.

Mr. SMOOT. Has any objection been made to a reading of the report as requested by the Senator from Wyoming?

The PRESIDING OFFICER. No. The Chair understands that has been included in the RECORD without objection.

Mr. WARREN. I ask to have it read at the desk. I should like the attention of all Senators to it, because I will confess that, as much as we have seen of our appropriations connected with it, it astonished me when I learned the amount of business they have done. It also covers, I think, to some extent, the inquiries which have been made.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

TREASURY DEPARTMENT,
BUREAU OF WAR RISK INSURANCE,
Washington, October 9, 1919.

Hon. FRANCIS E. WARREN,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Appreciating your keen interest in the war-risk insurance act and the carrying out of that act by the Bureau of War Risk Insurance, I think that you may like to have at this time a brief summary of our activities in order that you may be fully informed as to the present situation.

Other than the Members of Congress there are few people who realize the full scope of the war-risk insurance act, and little do they appreciate that within the bureau there are four of the largest businesses of their kind the world has ever known. Our records show, for instance:

A marine and seamen's insurance company—	
Doing a total business of.....	\$2,390,080,236.54
With premiums collected amounting to.....	\$47,592,510.61
Having issued policies to the number of.....	33,384
Paid claims to the extent of.....	\$28,737,146.47
With a surplus over expenses and refunds of.....	\$17,124,903.84
A stupendous banking business—	
For the dependents of men in the service making monthly payments of allotments and allowances on 2,057,842 awards during the period of a year and a half exceeding.....	\$526,000,000.00
An employers' liability company—	
Now making payments each month on claims for compensation to the extent of.....	\$2,410,271.91
Having paid burial expenses amounting to.....	\$1,834,763.33
The largest insurance company in the world—	
Having written during the period of one year and a half 4,561,974 individual policies, representing a total amount of insurance of.....	\$39,817,391,500.00
With premiums between Oct. 6, 1917, and Sept. 30, 1919, of approximately.....	\$233,599,432.95
With claims payable to the extent of.....	\$1,035,958,004.48

Up to June 30, 1919, the cost of administration of the bureau had been approximately \$19,000,000, which, as you can see, has been almost entirely covered by the profit of approximately \$17,000,000 on the business done under the marine and seamen's feature of the act.

Outsiders who are constantly making statements as to the great expense of maintaining the bureau and the carrying out of the provisions of the war-risk insurance act entirely ignore the fact that up to June 30 the net cost was approximately but \$2,000,000.

Mr. SMOOT. Mr. President, I will say to the Senator from Colorado that I should not feel justified in even attempting to estimate what the cost would be. I know the Post Office Department is opposed to this amendment, and I am not going to take time to go into the details as to why they are opposed to it or why, in their judgment, it would be a mistake to adopt it.

I desire to say that the subcommittee of the Committee on Finance having the amendment to the existing war-risk insurance act under consideration has not considered the House bill, because there have been representatives from the American Legion, time and time again, who have called upon me, as chairman of that subcommittee, and asked that nothing be done with the bill until after the American Legion meets on November 11 next. I have received a number of letters, however, of late stating that the Secretary of the Treasury thinks that some amendments are quite vital and ought to be enacted into law as quickly as possible. The subcommittee has begun the consideration of that bill and we hope soon to report at least upon the questions as to which there is no particular dispute.

Mr. McKELLAR. Mr. President—

Mr. SMOOT. I yield to the Senator.

Mr. McKELLAR. Why can not this provision be taken up at that time by the committee and be passed upon in connection with the various other provisions that must necessarily come before the committee in the consideration of the bill? It seems to me that this is a half-baked plan. It so appears on its face; for it provides that "the Secretary of the Treasury and the Postmaster General shall formulate and promulgate such regulations as will enable," and so forth; which means that the method of carrying out this provision is left to those two departments. If they do not agree, how are they going to get along? I think the Senator from Utah will agree with me that, however meritorious the proposition contained in the bill may be, as arranged here it is not as it should be. I should think that the Senator would prefer that the matter should come before his committee. I will ask him if that is not correct?

Mr. SMOOT. The subcommittee of the Committee on Finance could take it up and consider it in connection with the bill that

is now before them; but I had in mind saving a little money for the Government of the United States. I know I am foolish in contemplating such an effort.

Mr. THOMAS. The Senator from Utah is not only foolish, but he will make himself very unpopular in this body.

Mr. SMOOT. The Senator from Utah is fully aware of that, because of the fact that the Senator from Colorado has already made himself unpopular in some quarters for trying to do the same thing.

Mr. McKELLAR. Will the Senator yield to me for just a moment, Mr. President?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Tennessee?

Mr. SMOOT. I yield.

Mr. McKELLAR. The Senator from Utah says that he desires to save the Government money?

Mr. SMOOT. Yes.

Mr. McKELLAR. This bill provides that the collection of insurance money shall be taken out of the hands of the War Risk Insurance Bureau. It does not provide for the lessening of the force of the War Risk Insurance Bureau at all, but requires the services of 53,000 postmasters, 35,000 letter carriers, and 41,000 rural carriers.

Mr. SMOOT. Oh, the Senator from Tennessee is mistaken about that.

Mr. McKELLAR. It says so on its face.

Mr. SMOOT. Not at all.

Mr. McKELLAR. And it will necessarily involve the creation of an additional accounting system by the Post Office Department. I say to the Senator from Utah that, instead of saving the Government money, this system, if adopted, will cost the Government many millions of dollars in instituting in a separate department of the Government a coordinate branch of the War Risk Insurance Bureau.

Mr. SMOOT. The Senator—

The PRESIDING OFFICER. The Chair thinks the discussion is entirely outside of the record.

Mr. McKELLAR. I make the point of order against the amendment.

Mr. SMOOT. I desire to say that the Senator from Tennessee [Mr. McKELLAR] has not carefully read the amendment or he would make no such statement as he has made. Not only that, but I desire to say that if the amendment should be adopted there would be no necessity of having 16,500 employees in the War Risk Insurance Bureau in Washington. I desire to say further that it would not cost a single solitary cent outside of the cost of printing of the slips used by the post offices in this country on which to give a receipt for the amount of money collected and the expense that might be incident to the little work that would be done by the postmaster in making out his monthly statement. That would be the expense and nothing more in the field. The Senator from Tennessee does not think for a minute that we intend to pay the postmaster additional compensation for giving six or seven receipts a month?

Mr. McKELLAR. Will the Senator yield?

Mr. SMOOT. I yield.

Mr. McKELLAR. I happen to be on a commission that is undertaking to deal with the readjustment of the postal salaries in this country, and I desire to say to the Senator from Utah that if this legislation passes there will be an application made before that commission to increase the salaries of every letter carrier and of every postmaster on account of the increased work of collecting the premiums on war-risk insurance. I am sure the Senator will agree with me that that will be done.

Mr. SMOOT. I guarantee, Mr. President, that there is hardly a rural carrier in any part of the country, outside of a large city—and I think the statement will apply to most of the city carriers—who would collect more than three or four premiums a month.

Mr. McKELLAR. But I would pay for that.

Mr. SMOOT. The Senator from Tennessee says he wants to pay for that; and I say to the Senator that there will be application for an increase of wages in any event. This provision will make no difference; such demands come regularly.

Mr. McKELLAR. Postal employees ought to have an increase of wages where their work is increased.

Mr. SMOOT. I desire to say in this connection, Mr. President, that of all the employees of the Government of the United States I think the rural carrier is the poorest paid.

Mr. McKELLAR. I agree with the Senator about that.

Mr. SMOOT. If there is anything they can do more than they are now doing which will justify them receiving a little more salary, I think we should provide it.

Mr. McKELLAR. If the Senator will yield, I desire to say that I think that we ought to pay them more salary and not impose more duties upon them.

The PRESIDING OFFICER. The Chair is going to rule that this discussion is all out of order; and is going to hold that the point of order is well taken and sustain it. So the amendment goes out.

Mr. KING. In the committee amendment on page 13, line 22, I move to strike out the figures "\$1,000,000" and insert in lieu thereof "\$500,000," so that it will read:

Advertising, \$500,000.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The SECRETARY. It is proposed to amend the committee amendment on page 13, line 22, by striking out "\$1,000,000" and inserting in lieu thereof "\$500,000," so as to read:

Advertising, \$500,000.

Mr. KING. Mr. President, if the chairman of the committee will accept the amendment, I shall not withdraw it, and move that the amount be reduced to \$250,000.

Mr. WARREN. Mr. President, I simply desire to make an observation or two. As the Senator knows, this is a committee amendment, and he knows what it will have to go through before it becomes a law. I hope he will not insist upon his motion, but if he does—and I am not going to discuss it at any length—I hope it will be voted down; because, I repeat, the matter has got to go to conference and be considered there. Therefore, I hope that if it goes in at all, it may go in at \$1,000,000, and I certainly want it to go in.

Mr. McKELLAR. Mr. President, will the Senator from Utah yield to me, that I may ask the Senator from Wyoming a question?

Mr. KING. I yield.

Mr. McKELLAR. I wish to ask the Senator from Wyoming for what this amount is going to be expended? It says for "advertising"; but what kind of advertising? I am not in the fortunate position in which the Senator from Utah is; I do not understand it; and I should like to know what it means.

Mr. WARREN. The mode proposed by the amendment of reaching the men who have been injured seems to be far more economical than the present system of circularizing them.

Mr. McKELLAR. What mode is proposed here?

Mr. WARREN. It is proposed to advertise, under contract with various magazines and papers which reach the remotest quarters of the country, and in that way to convey the necessary information to all the men who may be interested. It is expected that on account of the large volume of such business low figures may be obtained and that it may be possible to cut down vastly the circularization business.

Mr. KING. Mr. President, I should be very glad, of course, to yield to my distinguished friend from Wyoming; but it seems to me that the amount of \$500,000 for this purpose is ample, and that it will accomplish all he desires and designs shall be accomplished. I have no doubt that if we gave five million or ten million dollars it would be expended by the War Risk Insurance Bureau.

I listened to the reading of the laudatory report, written probably by some member—

Mr. WARREN. What was read was simply evidence before the committee prepared under the direction of the head of the bureau, of course.

Mr. KING. I withdraw my statement. It is a laudatory report made by some person in the bureau—

Mr. WARREN. Exactly.

Mr. KING. Desiring to exonerate the bureau from the charges of excessive extravagance and waste that have characterized the administration of the bureau. An evidence of the fallacies that lie at the base of their calculations, reference is made to profits which were derived from a certain branch of insurance. They do not state what the facts are; that there are obligations to be paid out of that fund which has been accumulated. When those obligations are paid, instead of there being a surplus or profit there will be, of course, a deficit. That is the way that some of these departments and departmental heads and agencies of the Government do. When their profligacy is challenged, they tender figures for the purpose of justifying their extravagance, and misleading Congress and misleading the country. Everybody knows that the War Risk Insurance Bureau has been a scandal in its administration and has come in for the severest criticism at the hands of governmental officials who have investigated it, as well as those who are cognizant of its maladministration.

I wish to say, however, that the present director is attempting to remedy many of the defects, and I have no doubt if he had been in charge in the past, many of the evils of which we

have been aware would have been avoided; but it is an extravagant branch of the Government. There has been the grossest kind of incompetency in the administration of the War Risk Insurance Bureau.

I insist upon the amendment, Mr. President.

The PRESIDING OFFICER (Mr. ROBINSON in the chair). The question is on the amendment of the Senator from Utah to the amendment of the committee.

On a division the amendment to the amendment was rejected.

Mr. McKELLAR. I ask for the yeas and nays.

The yeas and nays were not ordered.

Mr. KING. I reserve the right in the Senate to present this amendment again.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the next amendment passed over.

The SECRETARY. On line 23, page 13, after the numerals "\$75,000" and after the semicolon, the committee proposes to insert:

Addressograph supplies, \$161,536.

The amendment was agreed to.

The SECRETARY. On page 14, line 4, the committee proposes to strike out "\$4,701,640" and to insert "\$5,863,176."

The amendment was agreed to.

The SECRETARY. The next amendment passed over is found on page 29, where, after the numerals "\$200,000," the committee proposes to strike out the following words:

Provided, however, That no part of this money shall be spent in the prosecution of any organization other than an organization of public officers or any individual other than a public officer for entering into any combination or agreement having in view the increasing of wages, shortening of hours, or bettering the conditions of labor, or for any act done in furtherance thereof, not in itself unlawful: *Provided further,* That no part of this appropriation shall be expended for the prosecution of producers of farm products and associations of farmers who cooperate and organize in an effort to and for the purpose to obtain and maintain a fair and reasonable price for their products.

Mr. GRONNA. Mr. President, I dislike very much to disagree with my colleagues on the Committee on Appropriations, but I reserved the right in the committee to oppose this proposed amendment.

I believe at this particular time it would be very unfortunate to make the change which has been proposed by the Senate committee. I want to call the attention of the Senate to what this amendment is.

As the bill passed the House, the paragraph under consideration read as follows:

Enforcement of antitrust laws: For the enforcement of antitrust laws, \$200,000: *Provided, however,* That no part of this money shall be spent in the prosecution of any organization other than an organization of public officers or any individual other than a public officer for entering into any combination or agreement having in view the increasing of wages, shortening of hours, or bettering the conditions of labor, or for any act done in furtherance thereof, not in itself unlawful: *Provided further,* That no part of this appropriation shall be expended for the prosecution of producers of farm products and associations of farmers who cooperate and organize in an effort to and for the purpose to obtain and maintain a fair and reasonable price for their products.

In the first place, let me call the attention of Senators to the fact that in the food bill which has just passed Congress, and which, I believe, is still in the hands of the Chief Executive, we incorporated this provision in Part I of the bill as it passed both Houses:

And provided further, That nothing in this act shall be construed to forbid or make unlawful collective bargaining by any cooperative association or other association of farmers, dairymen, gardeners, or other producers of farm products with respect to the farm products produced or raised by its members upon land owned, leased, or cultivated by them.

If we adopt this amendment in the form that it is proposed by the committee, we simply repeal that law.

Mr. WARREN. Mr. President, does the Senator think, on reflection, that he is justified in that assertion? Here is an old law—the antitrust act. There is a provision for the enforcement of the antitrust law. The Senator has spoken of a law which this provision does not repeal or obstruct. It is a straight matter of legislation favoring the people of whom he speaks. I think it is hardly supposable that the class of business covered there could by any ordinary construction of language be brought under the enforcement of the antitrust law as the law reads and as it should be construed.

Mr. GRONNA. May I ask the Senator from Wyoming what would the Attorney General of the United States be obliged to do if there were no provision here stating explicitly that none of this money shall be used for the prosecution of the industries to which I have referred? What would the Attorney General of the United States have to do? We have just passed a law

which contains a provision, which I have just read, exempting farm organizations.

Mr. WARREN. Does the Senator mean to say that he has constituted a trust? This appropriation is for the enforcement of the antitrust law. I do not understand that the Senator has created any trust of farmers in his legislation.

Mr. GRONNA. Oh, no; but that is a question which has been debated ever since the antitrust law was passed. We know that the only trusts that have been successfully prosecuted are these men who get together and form their little associations—dairymen, farmers, and labor men. I know that it applies to the farmers, because there are any number of cases over in the State of Illinois where the dairymen have been prosecuted, thrown into jail, and fined for what they call collective bargaining. The same is true of a number of cases over in the State of Ohio. I will say to the Senator from Wyoming that I know of no case where the Government of the United States has been successful in prosecuting the large trusts.

Mr. WARREN. The Senator is certainly mistaken about that.

Mr. GRONNA. I do not know about that.

Mr. WARREN. The Government does not succeed in its prosecution of all cases, but quite a large number of violators of the law have been sent to jail and fined heavily.

Mr. SMOOT. Mr. President, will the Senator yield to me?

Mr. GRONNA. Yes; I yield.

Mr. SMOOT. I want to call the Senator's attention to the fact that the adoption of this amendment as reported to the Senate by the committee will not repeal the law referred to by the Senator. This relates to an annual appropriation. If a dollar of this money is not spent between now and June 30, 1920, every cent of it will go back into the Treasury of the United States. Of course, I will say to the Senator, that will not happen; but it does not say what class of individuals or combination of individuals the antitrust law shall be applied against. It is a deficiency created in the department in regard to the enforcement of the antitrust laws.

Mr. GRONNA. Yes; exactly.

Mr. SMOOT. I will say to the Senator that it may be that if there are dairymen, as spoken of by the Senator, who are violating the antitrust laws, a part of this money may be used for their prosecution. It may be that every dollar of this money will be used for the prosecution of some other corporation for violating those laws. Even if the language stricken out were in here, however, it does not say that the money shall not be expended for the enforcement of the antitrust laws, but it would say that none of it should be used for the purpose of prosecuting farmers or those engaged in the lines of industry specified.

Mr. OVERMAN. Mr. President, will the Senator yield to me?

Mr. GRONNA. Yes.

Mr. OVERMAN. We forget some of the provisions of what is known as the Clayton Act, and I think I should read part of it into the RECORD right here to show that there is no need for this amendment, because, as I understand, the Attorney General could not use this money for this purpose, anyway, under this section.

Mr. GRONNA. I shall be very glad to have the Senator do so.

Mr. OVERMAN. Section 6 of the Clayton Act says:

That the labor of a human being is not a commodity or article of commerce. Nothing contained in the antitrust laws shall be construed to forbid the existence and operation of labor, agricultural, or horticultural organizations, instituted for the purposes of mutual help, and not having capital stock or conducted for profit, or to forbid or restrain individual members of such organizations from lawfully carrying out the legitimate objects thereof; nor shall such organizations, or the members thereof, be held or construed to be illegal combinations or conspiracies in restraint of trade, under the antitrust laws.

Mr. GRONNA. Furthermore, it would be unfair to the Attorney General to adopt this amendment. I want to read just a sentence or two from the House hearings, on pages 449 and 450:

The CHAIRMAN. I note you are asking that the following language carried in the present appropriation act for this appropriation be eliminated:

"Provided, however, That no part of this money shall be spent in the prosecution of any organization or individual for entering into any combination or agreement having in view the increasing of wages, shortening of hours, or bettering the conditions of labor, or for any act done in furtherance thereof, not in itself unlawful: *Provided further*, That no part of this appropriation shall be expended for the prosecution of producers of farm products and associations of farmers who cooperate and organize in an effort to and for the purpose to obtain and maintain a fair and reasonable price for their products."

Mr. PALMER. I have no objection to that being eliminated at all. I do not know why that is put in. We simply estimated for the enforcement of the antitrust law \$200,000. We did not go into the question of repeating legislation on it. I assume that stays.

The CHAIRMAN. You carried all the provisions except those two provisions, and when that is done the estimate is marked as this estimate is marked for elimination.

Mr. STEWART. The department has never included that language. That legislation is inserted by the committee, and we assumed it would be each time.

The CHAIRMAN. You are not asking the elimination of it?

Mr. STEWART. No.

Mr. PALMER. No; I voted for it when I was in the House.

Mr. President, the Attorney General, as I understand, is in favor of this language as it is written into the bill by the House.

I have only referred to the farmer. I hold no brief particularly for labor organizations, but I believe that labor is entitled to fair dealing. I believe that if those who labor feel that it is for the interest of labor and in the interest of humanity that they shall form associations, they ought to have a perfect right to do so.

As long as these things are all being done in accordance with law, there is absolutely no reason why we should say that such associations shall not be permitted to organize; and I am very glad that the Senator from North Carolina [Mr. OVERMAN] has called the attention of the Senate to the Clayton Act. There is absolutely no need for striking out this language, because, as the Senator has said, in all probability it could not be used in any event.

Mr. WARREN. Then I ask the Senator, Why need it be put in, as the Clayton Act provides for it?

Mr. GRONNA. We want to make it plain, Mr. President.

Mr. WARREN. You want to make it plain that we pass a law and then reserve certain industries to which it can not be applied?

Mr. OVERMAN. The question is, Why put it in?

Mr. WARREN. That is what I say.

Mr. OVERMAN. Why strike it out?

Mr. WARREN. Why leave it in? I will tell you why, because it says, openly and aboveboard, that the Congress of the United States, when it passed the law, meant it to apply only to certain individuals and certain interests, and to exclude all the others. That is what it means.

Mr. OVERMAN. You want to make an appropriation for the enforcement of the antitrust law and appropriate \$300,000?

Mr. WARREN. Yes; \$200,000.

Mr. OVERMAN. Then you say that you ought to put that in, when you have the Clayton Act here before you?

Mr. WARREN. The Clayton Act is all right, and so is the act the Senator speaks of. But the idea, every time we pass a law, of having the necessity of making a reservation of that kind, does not seem to me to be good legislative practice.

Mr. HARRISON. Mr. President—

The VICE PRESIDENT. Does the Senator from North Dakota yield to the Senator from Mississippi?

Mr. GRONNA. I yield.

Mr. HARRISON. I wanted to ask the Senator from Wyoming, as the chairman of the Appropriations Committee, if it is not a fact that in practically every appropriation bill a provision similar to this has been carried since 1913? Has not this proviso been written into it?

Mr. WARREN. It has at times, and at times it has not.

Mr. HARRISON. Practically speaking, the policy of Congress since 1913 in making appropriations has been to put this proviso in, has it not?

Mr. WARREN. I do not consider it a policy of Congress; no. It may pass it one year and not pass it another.

Mr. HARRISON. May I ask the Senator if it is not a fact that in the Sixty-second Congress a similar provision was passed by Congress, and Mr. Taft, who was then President, vetoed it, and both Houses passed it over the President's veto?

Mr. WARREN. That was quite different.

Mr. HARRISON. It was in the same language, was it not?

Mr. WARREN. I think not.

Mr. HARRISON. If the Senator from North Dakota will permit, I should like at this time to insert in the RECORD the exact wording of the proviso that President Taft vetoed.

Mr. KING. Will the Senator permit me to inquire if the Clayton Act was on the statute books at the time the President vetoed that bill?

Mr. HARRISON. No; the Clayton Act was passed about six months after President Taft vetoed that measure.

Mr. KING. There is a general act now that exempts these organizations from prosecution under the Sherman antitrust law.

Mr. HARRISON. Year by year since then a similar provision has been incorporated in appropriation bills. Here is the way the proviso read at that time:

Provided, however, That no part of this money shall be spent in the prosecution of any organization or individual for entering into any combination or agreement having in view the increasing of wages, shortening of hours, or bettering the condition of labor, or for any act done in furtherance thereof not in itself unlawful: *Provided further*, That no part of this appropriation shall be expended for the prosecution of pro-

ducers of farm products and associations of farmers who cooperate and organize in an effort to and for the purpose to obtain and maintain a fair and reasonable price for their products.

Both provisos are practically the same as the proviso in this appropriation bill, and that was passed over the President's veto.

Mr. WARREN. As the Senator says, the bill was vetoed, and afterwards the Clayton Act passed, which provides for all that should be provided for in that respect, I think.

Mr. HARRISON. I am not reading from the Clayton Act.

Mr. WARREN. I understand that. I understand what the Senator is reading. He is reading from the bill that was vetoed.

Mr. HARRISON. The bill that was vetoed and passed over the President's veto.

Mr. GRONNA. Mr. President, I do not care to further occupy the time of the Senate, but I simply want to say that this is no time to pass this kind of legislation. I believe that whatever legislation we enact ought to be made plain, not couched in ambiguous language, but in plain language. We know that there is considerable unrest in the country. We also know that these labor and farm organizations can not, by the very nature of things, become monopolies or trusts. I am not now defending either farm organizations or labor organizations when they violate the law. But they should have the right to form their associations to talk matters over, and that applies to labor as well as to farm organizations.

Mr. President, I was impressed with the statement made by a gentleman from Pennsylvania by the name of Miller, who, I believe, is chairman of the dairy association of that State. I do not wish to take the time of the Senate to read his statement, but I know that many of those associations to which he referred were being not only prosecuted but persecuted. Of course none of them were convicted, but they were put to a lot of trouble and unnecessary expense.

I want this language so plain that no man can have the right to point his finger at the Attorney General and say that he is not doing his duty, and unless we say, in plain language, that this money shall not be used for the prosecution of these associations; if the Attorney General receives complaints against farm associations, he might have to proceed and prosecute them if he knows that they are getting together and discussing prices, or if labor gets together and talks or discusses wages or advocates associations for the purpose of bettering their conditions, for the purpose of shortening hours or increasing wages, as I understand it, that might be construed to be a violation of the Sherman antitrust law.

Mr. President, I for one do not want that to be done, and I do not believe that a majority in the Senate wish that to be done.

Mr. CURTIS. Mr. President, I am in somewhat the same position as the Senator from North Dakota [Mr. GRONNA], being a member of the committee. I voted against this amendment in the committee, and reserved the right to oppose it on the floor of the Senate.

Notwithstanding the provision of the law read by the Senator from North Dakota, notwithstanding the provisions of the Clayton Act read by the Senator from North Carolina, and notwithstanding the provisions of the national defense act, which read as follows:

That this section shall not apply to any farmer, gardener, cooperative association of farmers or gardeners, including live-stock farmers, or other persons with respect to the products of any farm, garden, or other land owned, leased, or cultivated by him, nor to any retailer."

And so forth; and notwithstanding the reading of the provisions of section 6—

that any accumulating or withholding by any farmer or gardener, cooperative association of farmers or gardeners, including live-stock farmers, or any other person, of the products of any farm, garden, or other land owned, leased, or cultivated by him shall not be deemed to be hoarding within the meaning of this act.

The fact is that prosecutions have been brought against organizations of farmers.

I had a wire the other day advising me of a suit that had been brought, and called the matter to the attention of the Attorney General to get the facts upon which the suit had been based. He advised me that his office had not been informed and therefore could not give me the information. I do not know the facts in the case, but I do know that these organizations have been threatened with prosecution. They have been organized under the law. They must deal with large corporations. They must deal with millers and elevator men who have a monopoly of the trades in their neighborhoods, and they have organized all over Kansas, North and South Dakota, and other agricultural States, to protect themselves. They have organized under the law. They had a right to organize, and I claim

that no part of this appropriation should be used to prosecute those men, and I hope this amendment may be defeated. They have not organized in restraint of trade, and they have no desire to create a monopoly; they have formed associations and organized in an effort to and for the purpose to obtain and maintain a fair and reasonable price for their products.

Mr. WARREN. May I ask the Senator if he does not, from his statement, believe that the trust law ought either to be repealed or amended so that we would not have to protect them in every item of appropriations, which, of course, should call for only money to carry the laws out as they stand on the statute books?

Mr. CURTIS. I think if the Clayton law were liberally construed there would be absolutely no necessity for such provisions as these. But, notwithstanding the Clayton Act, they are prosecuting these associations of farmers. What I want is that these men be protected; that the Attorney General be notified time and again, if necessary, that these men who have organized to protect themselves, as they must, shall not be prosecuted under this law.

Mr. KING. Mr. President, will the Senator permit me to ask the Senator from Kansas a question?

The VICE PRESIDENT. Does the Senator from Wyoming yield to the Senator from Utah?

Mr. WARREN. Certainly.

Mr. KING. I did not hear all that the Senator from Kansas said; but for information, and in order to get the point of view of the Senator, I should like to know whether the Senator is contending that if farmers, or any other class of people, acting in their individual capacity or as corporations, should organize for the purpose of restraining trade and commerce and for the purpose of creating a monopoly, they ought to be exempt from prosecution?

Mr. CURTIS. No. But these people do not organize for that purpose. They are endeavoring to obtain fair and reasonable prices. But, notwithstanding that fact, they are prosecuted or are threatened with prosecution.

Mr. KING. I do not know, of course, to whom the Senator is referring.

Mr. CURTIS. I believe the people who do organize for the purpose of creating a monopoly and for the sole purpose of increasing prices should be prosecuted. But I believe the men who organize in small trading centers—farming communities, where there is little or no competition—to handle their own grain, to handle their own cream, and to handle their own butter, ought to be exempted from prosecution under this act or any other act.

Mr. KING. If I understand the Senator, I agree with his position. May I inquire of the Senator further, suppose a large number of communities organize for the purpose of creating a monopoly and then extend their operations so as to embrace a State, or a number of States, and they then fix the price of butter, or cheese, or other farm products, and do create a monopoly, and their organization is such as to constitute a restraint of trade. I am curious to know whether the Senator thinks that such combination would come under the Sherman antitrust law.

Mr. CURTIS. Of course, if they organize all over the country and created a monopoly, they would come under the antitrust law. But these are not large organizations. They only apply to small communities, where they have no competition. In some places the markets are not good, they have poor railroad facilities, there is only one organization there to buy their products, and that organization fixes the price, and the farmers are helpless. They must organize to protect themselves against those who have no competition and who buy and control the market, as they do in many communities. I know of cases in my own State where there was paid a difference of 10 to 20 cents a bushel for wheat at stations within 10 miles of each other. Should not the farmers there, when they were being robbed of 10 or 20 cents a bushel, be permitted to organize, build an elevator, and hold their wheat until they could get a fair and reasonable price for their products?

One farmer could not compete with a big elevator, but 5, 6, 10, 20, or 30 of them could.

Mr. KING. I was expressing no opinion. I was interested in finding out where the Senator would draw the line between a big trust and a little trust, a large combination in restraint of trade and a little combination in restraint of trade.

Mr. CURTIS. The farmers have not organized in restraint of trade. I might state, in further answer to the Senator's question, that the last two lines of the amendment read:

And organize in an effort to and for the purpose to obtain and maintain a fair and reasonable price for their products.

This is all they ask, and they are entitled to this protection, and it is this amendment in behalf of the farmers that is pro-

posed to be stricken out. I hope the amendment may be defeated.

Mr. KING. The Senator knows, of course, that the Clayton Act contains a provision which legalizes all the organizations for which the Senator is contending, and prohibits any prosecution against them.

Mr. CURTIS. I know that is true. But I stated, in the opening of my remarks, that notwithstanding the Clayton Act, notwithstanding the national-defense act of August, 1917, notwithstanding the act read by the Senator from North Dakota, prosecutions are now pending. As I stated, I had a wire of a prosecution, called the matter to the attention of the Attorney General, and he was unable to give me the facts, because no report had been made to his department.

Mr. KING. If the Senator will permit the suggestion, perhaps those who initiated the prosecution thought they were going beyond the provisions of the Clayton Act; that they were charging more than a fair price; that their organization was not for the purpose of obtaining fair prices for their products, but was for the purpose of obtaining an unfair price for their products.

Mr. CURTIS. Then why should any Senator object to a provision in this bill which says they can only hold out for a fair and reasonable price?

Mr. KING. I am making no argument in respect to that. I am merely trying to find out what the views of the Senator were as to when an organization would become a monopoly and when it was not a monopoly. The thought also occurred to me that if there is a statute already upon the books which protects the organizations for which the Senator is speaking, as I understand him to admit that there is, how can that statute be affected by the measure which is now under consideration? It does not propose to repeal that law.

Mr. CURTIS. Up to date it does not seem to have protected it. That is the point I am making.

Mr. KING. Would it protect it any more by merely reaffirming the statute?

Mr. CURTIS. It shows a desire to prevent the use of any part of this money for the purpose of bringing a prosecution against farmers' organizations, which were organized solely for the purpose of obtaining fair and reasonable prices.

The Attorney General stated before the House committee that he would obey this provision if it were put in the act and we ask that the committee amendment be defeated so the provision may be retained in the act and that the associations of farmers may cooperate and organize, and in that way secure reasonable prices for their products.

Mr. OWEN. Mr. President, I merely want to express, on my own behalf, a complete approval of the views which are being expressed by the Senator from Kansas [Mr. CURTIS] and to say that I am altogether in sympathy with them. The big combinations are not really controlled by the antitrust law. They are flagrantly carrying out now their monopolistic plans throughout the country, and that contributes largely to the high cost of living. The big organization which can bring within its own hands the purchasing of products raised by the farmers can absolutely exercise control over those prices to the injury of those who produce and thereby discourage production in this country, just exactly as the American Tobacco Trust could, by setting such low prices on tobacco that at last they drove people into absolute revolution.

The thing that we ought to do in this country is to go far beyond what the Senator is now trying to do, to protect these little producers against injury and harm from failure of administration of some officer who does not know enough to draw a line of discrimination between the two. We have to go far beyond that. We have got to put a limitation upon these monopolies in this country as to the extent they can tax the people of the country under the powers which they are permitted to exercise under the laws as they exist. I think the Sherman antitrust law might as well be wiped off the statute books for all the good it does.

Mr. HARRISON. Mr. President, I notice that in the Sixty-second Congress, on March 4, 1914, when the veto message of the President came before the House for consideration and the passage of the bill over his veto, the present Attorney General was at that time a Member of the House, and that he voted to override the President's veto with this provision in the bill.

Mr. CURTIS. I understand that he made that statement in the hearings.

Mr. HARRISON. I call to the attention of the Senator also the fact that on this provision in the House there were only 30 votes against it and 201 for it.

Mr. THOMAS. Mr. President, some days ago, in discussing a proposition somewhat analogous to the one presented by this

amendment, I inserted in the Record the veto message of President Taft to the first appearance of the proviso which is here under discussion and which has appeared in every appropriation bill since that time which makes appropriations for the enforcement of the antitrust laws. That message came to the Senate on the last day of the life of the Sixty-second Congress, and of course could not be acted upon here; hence the bill died with all other unfinished business of the Congress. It made its appearance at the special session which was called by President Wilson for April, when the appropriation bill, which had failed of passage, was renewed. It came from the House with this proviso and was here opposed by a very small minority of Senators under the leadership of the late lamented senior Senator from New Hampshire, Mr. Gallinger. President Wilson signed the bill and took occasion to state—I will not say that he said he regarded the proviso as unconstitutional, but while he regarded it as unlawful, he realized that unless he signed the bill it would again fail, and he therefore concluded to sign it, because there was plenty of money in the previous appropriation for the prosecution of violations of the antitrust law to make it practically ineffective. In other words, two Presidents of the United States, one a Republican and the other a Democrat, have officially voiced the opinion that the proviso was unconstitutional. I mention both these circumstances lest it might appear that the opposition to the appearance of this sort of legislation in a congressional enactment was based upon some partisan motive or purpose. Such is not the case.

I have objected, Mr. President, to this proviso wherever it has appeared, and because I have been unable to make that objection effective I have felt it to be my duty to vote against every measure containing it. My objection to it has nothing whatever to do with the classes which it affects, with the need for it, if need there be, or with the manner in which the antitrust laws have been executed.

If the exception related to any other class of people, if, instead of relating to classes, it were confined to sections, my objection would be the same. It consists in the fact that, under this sort of legislation, the general laws of the country are made to apply to only certain sections of the people, while other sections are expressly excluded from its operation.

Now, I contend that it is beyond the power of the Congress of the United States, however great its authority, to enact general legislation and make it applicable to only a part of the people of the country. It has been done a great many times; in fact, I think such legislation has disfigured the legislative history of the United States ever since the close of the Civil War. Privileges have been extended many times, and improperly, to corporate influences, combinations, and to vested interests. I shall not attempt to specify any particular ones at this time. Suffice it to say that I always condemned them long before I was honored with a seat in the Senate.

Fundamentally it is undemocratic and in practice it is a violation of the political cry, because that is all it now amounts to, of "Equal rights to all and special privileges to none." Class legislation disfigured the action of Congress in behalf of vested interests so long as vested interests were politically more powerful than any other. Class legislation has disfigured our action since vested interests ceased to be more powerful and other interests and combinations have taken their places. But the principle is vicious in either case, and it is one which in my judgment has more to do with the present unsatisfactory condition of the country than any other single element, with the exception of the effect of the war itself upon the human race.

Let me read this proviso:

For the enforcement of antitrust laws, \$200,000: *Provided, however, That no part of this money shall be spent in the prosecution of any organization other than an organization of public officers or any individual other than a public officer for entering into any combination or agreement having in view the increasing of wages, shortening of hours, or bettering the conditions of labor, or for any act done in furtherance thereof, not in itself unlawful: Provided further, That no part of this appropriation shall be expended for the prosecution of producers of farm products and associations of farmers who cooperate and organize in an effort to and for the purpose to obtain and maintain a fair and reasonable price for their products.*

Let me say, Mr. President, at the outset that if any attempts were made to use or if any use were actually made of this appropriation for the purpose of prosecuting such organizations as are included in the proviso, it would be unlawfully used, since the character of organizations there cited is not and can not under any circumstances constitute a violation of the antitrust law. Men have the right to associate, to combine, if you please, for the purpose of doing everything which is mentioned in the proviso, and by so doing they violate no law whatever, so far as I know, either State or National.

The difficulty with this proviso, Mr. President, is not in what it recites but in what it actually accomplishes. Section 6 of

the Clayton Act, which I opposed, is harmless as regards its phraseology, but under its operation have grown up enormous aggregations of men frequently engaged in conspiracies against trade, as exemplified by Nation-wide strikes, against which the Government can not lift a finger or does not lift a finger, because of the exemption from the Clayton law of these classes of society.

We are face to face with a threatened strike of the employees of all of the bituminous coal mines of the country. The senior Senator from New Jersey [Mr. FRELINGHUYSEN] took occasion this morning to address the Senate upon that all-important subject and very graphically outlined not only the probabilities of this Nation-wide calamity but its consequences. Needless to say, both of them are appalling, as both of them are un-American and unjust. There 446,000 men, engaged in a great basic industry, protected by the provisions of the Clayton antitrust law, meet in convention, announce terms under which they will continue their employment, instruct their leaders to call a strike upon a day to be fixed; and they can do so, so far as regards any lawful remedy, with absolute impunity. In every other department of life, responsibility goes with power; amenability to law is the inevitable condition of the exercise of a business right or pursuit. We require capital to organize; we give it privileges of incorporation that are just as pernicious and have been the source of just as much abuse as any other privileges founded on legislation; but there is an element of responsibility, since if my business is ruined by a process that is forbidden by law I can summon my adversary into court, and, if I can prove my case, I can secure a judgment, and that judgment will be in whole or in part my reimbursement. But the suffering inflicted upon the members of my family by an organization which I have never injured, consequent upon the shortage in coal during the winter season, and which comes not only to mine but to every family in the United States, however serious it may be and however long continued, carries with it absolutely no remedy whatever, since, under the laws of our country, those engaged in that sort of a conspiracy against trade are not even required to incorporate.

So I say, Mr. President, it is not the phraseology of a proviso like this, but the construction that is placed upon it, and the things done under it, that make it formidable and which would require the repeal of both, by which I mean the proviso in this bill and the exemption found in the Clayton Act. I say again that associations of men designed to better their condition, to bring about "collective bargaining," if you please, can be formed, and all those activities of men, short of conspiracies against trade, can be exercised in this country, always have been and always will be.

It is the carving out of a class—I care not what that class may be—and making it immune from the operations of the general statute, I repeat, that has been the prolific source of industrial and social evils in this country for the last 50 years. The thing itself is what I oppose, whether the moving cause of the thing comes from the one or the other direction, whether it comes from the vested interests or from associations of men. In each instance the great public is the sufferer; in each instance the laws are brought into disrespect; and in each instance the impulse is furnished for further class legislation, either exempting other elements from the operation of general law or increasing the privileges already enjoyed by those who are so fortunate.

Mr. President, if this proviso should read that "no part of this money shall be spent in the prosecution of any organization in the States of North Dakota and Colorado," no Senator within the sound of my voice would hesitate for a moment in characterizing it as class legislation and in voting against it; but there is no more difference, in legal effect, between such an exemption and the one which is set forth in the proviso itself.

If we should enact a law against highway robbery—and perhaps the activities of the Federal Government will extend that far very soon—and then exempt from its operation all of the red-headed men and women of the country, no one for a moment would hesitate in pronouncing it class legislation, yet such a statute would differ not a whit from the one which now confronts us.

I do not want to see any small organization of any sort engaged in the very credible task of promoting the interests of its members subject to prosecution by the Attorney General or by anybody else; and if it be true, as stated by the Senator from Kansas, that such prosecutions now exist, then it is equally true that this proviso, if it be not stricken out, will not protect such organizations, for they are being prosecuted under statutes containing this proviso, thus showing that it is not operative.

I know that producers in this country have or have had a hard time; there is no question about that. I know that organizations of some kind are necessary for their well-being, because when one

part of the community organizes for a certain purpose, aimed at the rest of the community, they also must organize as a counter-defense. Such local organizations should be encouraged along every legitimate line that will promote their welfare and, through such promotion, contribute to the general welfare. But, Mr. President, there are organizations and organizations. Those which were referred to by the Senator from North Dakota are those that should be encouraged; those which are immune and must be immune, regardless of this proviso, are those which will be prosecuted, as I have just stated, if they are to be prosecuted at all, whether this proviso is in the bill or not.

Only last week there was an announcement in the public press by some gentleman who declared that he represented an organization consisting of 40 per cent of all the farmers in the United States in which he outlined a national program. I read that program with a great deal of interest. While I may be mistaken, I am free to confess that if it is carried out it is apt to prove quite as objectionable to the consumers of this country—to the great mass of the people—as is the present steel strike. That is the sort of an organization, Mr. President, that should be but is not included in the Clayton Act; that is the sort of an organization that will escape under the practical application of provisos like this; while those with which Senators are concerned will, independently of the law, continue as they have before; in other words, the public construction given to these exceptions, the practical operation of affairs under them, is to give immunity to the huge organizations that are quite as apt to interfere with the normal flow of business and of ordinary affairs as are institutions which are known as combinations of capital. If 40 per cent of all the agriculturists of the United States lay down a national program which virtually demands the nationalization of what they call the national resources of the country—which, in my judgment, necessarily includes every farm in the United States—and then place the force of the organization behind it, and, by the power which that organization represents, virtually defy the antitrust laws of the country, then their success is absolutely certain, especially in view of the other consideration that there is no corresponding responsibility.

Mr. President, it has been said by one of the Senators who preceded me that this is no time to change laws; that this is not an occasion for interfering with or altering those conditions which have prevailed in the last few years. I wish I could agree with that view of things. My mind would be a great deal easier. My own view is that inasmuch as every day now brings us face to face with the consequences of our past legislation, inasmuch as the events of every week demonstrate the power of individual organizations, and bring forcibly to us, either by object lessons in existence or those which are sure to come, what they can accomplish, and propose to accomplish, under the special privileges and exemptions given to them by the statutes of the United States, now is the time of all times to wipe these excrescences from our statute books, and get back to the good old level where all legislation was designed for the benefit or the punishment of every citizen, high and low, of every man and woman in the United States, of all classes and conditions of men.

Mr. President, the consumers, the noncombatants in this country, the men upon whose shoulders rests the burden of taxation, the people who have to pay for every rise in the cost of living, constitute 90 per cent of the people of the United States, and they are entitled to a little consideration at the hands of their representatives in the two Houses of Congress. They are not very well organized; they may never be; but their resources are not absolutely inexhaustible, and when they break the Nation breaks. When the burden becomes so great that they stagger under it and fall, the Nation falls, and all of these classes whose favor we so earnestly seek and whose votes we need so badly will cease to be classes, because the Nation itself will have undergone collapse.

The papers announced a day or two ago that the fares upon the traction lines of Washington were to be increased 40 per cent after the 1st of November—that is to say, from 5 to 7 cents. The 1st of November is getting to be the most attractive day in the calendar. All the coal mines are going to stop, and city fares are going to be raised 40 per cent. What else will happen I suppose will be announced in due season. The man riding to his business and back home, paying two fares per day, will have his general expense increased \$14.60 every year. One of the companies is prosperous, paying dividends, I understand, and has asked for no increase, but it gets it just the same. The other seems to be a bankrupt concern, water-logged with over-issues of stock and bonds, trying to keep out of the hands of the receiver, and has appealed to the commission for help, and the commission has finally concluded to give it, but at the expense

of the consuming public. It is an outrage, and it is one of these outrages that are spread as thin as possible, and then spread over the whole community. The man who pays 2 cents additional pays but little attention to it at the time, but every day means an aggregate increase of revenue to these companies of thousands upon thousands of dollars. That is but one of the little things that are placed upon the broad backs of the consuming public, due to the increasing demands from these classes protected by our statutes from any of the consequences to which others are exposed.

I hope, Mr. President, that the Senate of the United States will have the courage to begin right here and strike out this legislation. I have no doubt that it is true, as stated by the Senator from North Dakota [Mr. GRONNA], that many violations of the antitrust law by some of the corporations of the country either have not been prosecuted, or have not been properly prosecuted. I think there is no doubt about that; but, Mr. President, that may be a fact and at the same time constitute a very poor argument. It is a fact, unquestionably, but I am unable to apply it to the consideration of this question. The remedy is not to continue an exception, thereby creating a favored class, but to ascertain why the law is not enforced against everybody, and if there be reasons why it is not so enforced which we can ascertain and remove, then that is the legislative course which the Senate and the House should pursue.

The House, Mr. President, when this question came before it, by a viva voce vote struck out this proviso, and then some one demanded a record vote. If there is anything that the average Senator or Congressman likes to dodge on anything of this sort, it is a record vote. Nobody takes account of the viva voce vote, but when a man's name is called he has either got to vote or run, and when the viva voce vote was called for upon it the amendment was overwhelmingly defeated in the House.

That, Mr. President, was not an entirely creditable performance. If the House were not a body of equal power and dignity with this, I should speak of it in more expressive terms. It is not only not a creditable performance, but it is not an unusual performance. It happens many times. I am told that when the Congress increased the salaries of its own Members, an arrangement was very carefully made whereby a record vote was avoided. Every Senator and Member wanted the extra \$2,500, but he did not want to go on record as wanting it. Consequently refuge was taken in the viva voce vote. Now, that may be successful, but it is not manly. It may be politics, but it is not right. We either should do here what we are willing to face our constituencies with or not do it.

So far as I am concerned, I am not particular how the vote is taken upon this particular amendment, so long as it is successful. I have gone on record a number of times concerning it, and I am quite willing to go on record again. I repeat that it is the beginning or the effort to begin the right legislative course, and do away with this unfortunate practice of listening to special privilege whispering in our ears from all sources and becoming more and more successful as time passes.

Mr. TOWNSEND. Mr. President, it seems to me that the Committee on Appropriations has acted wisely in proposing this amendment to the pending bill. The House provision temporarily, so far as this appropriation is concerned, suspends our trust laws. It does indirectly what Congress ought to have the courage to do directly, if it is right to have class legislation. I will not consent with my vote to enforce laws against one class of the people and not against the others. The antitrust laws are good laws, and they should be either enforced impartially or repealed. Senators do not dare to repeal them, but seem not to hesitate to provide for a partial enforcement of them. It is proposed by the House provision to make an appropriation for enforcing the Sherman antitrust law and then to provide that the money shall not be used in enforcing it in certain cases. This procedure brings about a contempt for law. It is simply a recognition of class distinctions, and we are suffering to-day more from that fact than from almost any other.

I believe it is true that a great many of the organizations that are established by farmers are perfectly innocuous, are entirely helpful, and, in my judgment, do not violate any law; but if they do, then those laws ought to be amended, and it ought to be done directly. If the laws prevent desirable combinations by either farmers or laborers or manufacturers, then they should be amended so as to permit good combinations, and I know there are such, and they should be encouraged. I am ready to revise the trust laws, but am not willing to permit favoritism in their enforcement. But no Senator uninfluenced by political considerations, it seems to me, can stand in this Chamber and advocate a law for one class of the people which

is not applicable to all of them. If you want to encourage class antagonism and class distinction you can encourage it no more than by this kind of legislation.

I have opposed this character of exceptional legislation ever since I have been in Congress, because it has seemed to me to be instrumental in creating the most serious wrongs and the greatest dangers. But this House provision is not intended to relieve the farmers of the country. They are put into this as a sop in an effort to make it more popular and respectable. I know that the farmers themselves do not want to do anything that is contrary to the public welfare. They are public-spirited, and if proper organizations are denied existence by the existing antitrust laws, I repeat that those laws should be amended. But I submit that it is an improper and a cowardly thing to do to exempt from a general law certain classes of our people and permit them, if that is what they are seeking—and I deny that is what farmers are seeking—to do things which would be unlawful for others to do.

Mr. EDGE. Will the Senator yield?

Mr. TOWNSEND. Certainly.

Mr. EDGE. Mr. President, does not that always form a direct invitation really to attempt to go in opposition to the Clayton Act when we specifically and directly exempt them? Is it not more or less by inference an invitation that they can go ahead without fear of prosecution?

Mr. TOWNSEND. I think it is. I have no doubt about it myself. Such exemptions as these in the past have not been of benefit to labor. I believe that they have been injurious to it, and I am sure that any special provision now for any class of our people will result in injury rather than benefit. The country is suffering from lawlessness. Why encourage the evil?

I have no doubt this amendment will be defeated if a vote is taken on it. Very many amendments of this character have been defeated, and I think Senators who have cast votes on similar provisions in the past have realized that an injury rather than a benefit was done, especially to the people as a whole. If a thing is wrong for one man to do, it is wrong for all men to do it, and honest men are not demanding special privileges.

Mr. President, I have understood that there were some bills being considered for the purpose of making a distinction between the efforts of people who are operating under the provisions that would be affected by the Sherman antitrust law, or the Clayton law, so as to classify combined activities and separate those which are clearly beneficial from those which ought to be prohibited. Will it be contended that any act which labor might do, or which farmers might do, however detrimental to the public welfare, would be perfectly lawful and ought to be exempted from the operations of the general law? I do not think the farmers themselves want any such provision adopted. I have not been notified by any of my farmer constituents that they want this exemption from a general statute. They want only their legitimate rights, and if any statute denies them these it should be repealed. When they want legislation they will ask for it, and we can consider it upon its merits and not sidetrack the issue by an exemption in an appropriation bill affecting a law which should be universal in its application.

So, Mr. President, I shall vote for the committee amendment, believing it is proper and consistent with an honest effort to serve all the people of the United States impartially. Many times have class legislation and partial enforcement of laws risen to plague the country. Can Congress afford to add to this trouble? If the people's representatives would serve their constituents with the same zeal that they employ in looking after their individual political fortunes the distance between capital and labor, between the masses and the classes, would be lessened and a greater respect for law would exist.

Mr. HARRISON. I ask for the yeas and nays, Mr. President. The PRESIDING OFFICER (Mr. McNARY in the chair). The question is on agreeing to the committee amendment on page 29, on which the yeas and nays are requested.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. MYERS (when his name was called). Has the Senator from Connecticut [Mr. McLEAN] voted?

The PRESIDING OFFICER. He has not.

Mr. MYERS. I have a pair with the Senator from Connecticut [Mr. McLEAN], which I transfer to the Senator from Nebraska [Mr. HITCHCOCK] and vote "yea."

Mr. SUTHERLAND (when his name was called). I have a general pair with the senior Senator from Kentucky [Mr. BECKHAM]. As he is absent, I withhold my vote.

Mr. THOMAS (when his name was called). I transfer my pair with the senior Senator from North Dakota [Mr. McCUM-

BER) to the senior Senator from Arkansas [Mr. ROBINSON] and vote "yea."

Mr. UNDERWOOD (when his name was called). I wish to announce that I have a pair with the junior Senator from Ohio [Mr. HARDING], which I transfer to the senior Senator from Texas [Mr. CULBERSON] and vote "yea."

Mr. WOLCOTT (when his name was called). I have a general pair with the senior Senator from Indiana [Mr. WATSON], and in his absence I withhold my vote.

The roll call having been concluded,

Mr. UNDERWOOD. I desire to announce the absence of my colleague, the senior Senator from Alabama [Mr. BANKHEAD], who is absent on official business. He is paired with the junior Senator from West Virginia [Mr. ELKINS].

Mr. FLETCHER. I have a general pair with the junior Senator from Delaware [Mr. BALL], and in his absence I withhold my vote.

Mr. FRELINGHUYSEN. I have a pair with the junior Senator from Kentucky [Mr. STANLEY]. I transfer that pair to the junior Senator from Michigan [Mr. NEWBERRY] and vote "yea."

Mr. PENROSE (after having voted in the affirmative). I observe that the senior Senator from Mississippi [Mr. WILLIAMS] has not voted. As I have had for many years a standing pair with that Senator, I will withdraw my vote.

Mr. CURTIS. I have been requested to announce the following pairs:

The Senator from West Virginia [Mr. ELKINS] with the Senator from Alabama [Mr. BANKHEAD];

The Senator from Maine [Mr. FERNALD] with the Senator from South Dakota [Mr. JOHNSON]; and

The Senator from New Hampshire [Mr. MOSES] with the Senator from Virginia [Mr. MARTIN].

Mr. KING. The Senator from Louisiana [Mr. RANDELL], the Senator from Nebraska [Mr. HITCHCOCK], the Senator from Arkansas [Mr. ROBINSON], the Senator from Arizona [Mr. SMITH], the Senator from Nevada [Mr. HENDERSON], the Senator from Arizona [Mr. ASHURST], the Senator from Tennessee [Mr. SHIELDS], the Senator from Nevada [Mr. PITTMAN], and the Senator from Montana [Mr. WALSH] are detained from the Senate on official business.

Mr. McKELLAR. The Senator from South Dakota [Mr. JOHNSON] is absent on account of illness in his family. The Senator from Oklahoma [Mr. GORE], the Senator from New Mexico [Mr. JONES], the Senator from Oklahoma [Mr. OWEN], the Senator from Missouri [Mr. REED], the senior Senator from Kentucky [Mr. BECKHAM], and the junior Senator from Kentucky [Mr. STANLEY] are absent on public business.

The result was announced—yeas 28, nays 31, as follows:

YEAS—28.

Borah	Kellogg	New	Smoot
Calder	King	Page	Sterling
Chamberlain	Knox	Phipps	Thomas
Colt	Lodge	Poin Dexter	Townsend
Dillingham	McNary	Pomerene	Underwood
Edge	Myers	Sherman	Wadsworth
Frelinghuysen	Nelson	Smith, Md.	Warren

NAYS—31.

Brandegge	Gronna	La Follette	Simmons
Capper	Harris	Lenroot	Smith, Ga.
Cummins	Harrison	McKellar	Smith, S. C.
Curtis	Jones, Wash.	Norris	Spencer
Dial	Kendrick	Nugent	Swanson
Fall	Kenyon	Overman	Trammell
France	Keyes	Phelan	Walsh, Mass.
Gay	Kirby	Sheppard	

NOT VOTING—37.

Ashurst	Hale	Martin	Smith, Ariz.
Ball	Harding	Moses	Stanley
Bankhead	Henderson	Newberry	Sutherland
Beckham	Hitchcock	Owen	Walsh, Mont.
Culbertson	Johnson, Calif.	Penrose	Watson
Elkins	Johnson, S. Dak.	Pittman	Williams
Fernald	Jones, N. Mex.	Ransdell	Wolcott
Fletcher	McCormick	Reed	
Gerry	McCumber	Robinson	
Gore	McLean	Shields	

So the amendment was rejected.

Mr. WARREN. Mr. President, I have an amendment, which I send to the desk. It is a slight matter. We will have to reconsider one amendment in order to insert the word "agent" in place of the word "clerk."

The VICE PRESIDENT. Without objection, the vote whereby the amendment was heretofore agreed to will be reconsidered. The Secretary will state the amendment of the Senator from Wyoming.

The SECRETARY. On page 36, in line 18, strike out the word "clerk" and insert in lieu thereof the word "agent."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. MYERS. Mr. President, I offer an amendment and ask to have it read.

The SECRETARY. Add a new section, as follows:

Sec. 3. That no money, now, heretofore, or hereafter appropriated by the Congress for the pay, salaries, or maintenance of the Metropolitan police department of the Metropolitan police force of the District of Columbia, shall be paid to any member, officer, policeman, or patrolman of such force or such department of the District of Columbia who shall be a member of any organization of policemen or patrolmen which is affiliated, directly or indirectly, with any other labor organization or any branch or body of organized labor; and that the auditor of the District of Columbia and the Auditor of the Treasury Department and all other auditors and auditing officials of the United States Government be, and are hereby, ordered, directed, and commanded not to audit or approve any claims, warrants, or vouchers for services by any such member, officer, policeman, or patrolman under such circumstances; and that the Treasurer of the United States and all other officials are hereby ordered, directed, and commanded not to pay or cash any claim, warrant, or voucher of any such member, officer, policeman, or patrolman under such circumstances.

That all auditing and disbursing officials of the District of Columbia and of the United States Government shall be governed in the matters and orders herein set forth, made, and provided by such action in the premises as may be taken and such notice as may be given by the Board of Commissioners of the District of Columbia and it shall be the duty of such board to notify and keep informed all necessary auditing and disbursing officials of the District of Columbia and of the United States, from time to time, of the names of all such members, officers, policemen, and patrolmen of such police department or such police force as may be members of any such organization of policemen as is herein described and prescribed.

Mr. WARREN. Mr. President, I feel that it is my duty, as chairman of the committee, to make a point of order against the amendment, but I wish to say that I am entirely in sympathy with the object stated, and if it were on some bill that contained legislation I would not make the objection. It is not a matter that can be considered in a deficiency appropriation bill, and I am therefore compelled to make the point of order against it.

Mr. MYERS. Mr. President, I should like to say a word about the point of order.

Mr. WARREN. I withhold the point of order for that purpose.

Mr. MYERS. I have given that question some thought. It occurs to me that the amendment does not change existing law, but is merely a limitation upon the expenditure of money appropriated by Congress. I have always understood that it is permissible to put an amendment upon an appropriation bill which is merely a limitation upon the expenditures of moneys appropriated by Congress. That is my understanding of the rule, and I think this is merely a limitation upon the expenditure of money appropriated by Congress. For that reason I have been of the opinion that it would not be out of order.

The VICE PRESIDENT. Is there any appropriation in the bill providing pay for the Metropolitan police of the District of Columbia?

Mr. WARREN. I desire to say that that is the particular point on which I base my point of order.

The VICE PRESIDENT. There is no appropriation for the Metropolitan police?

Mr. WARREN. There is not. I renew my point of order.

The VICE PRESIDENT. The point of order is sustained. If there had been an appropriation for that purpose in the bill, the amendment would be in order.

Mr. POMERENE. I send to the desk the following amendment.

The VICE PRESIDENT. The Secretary will read the proposed amendment.

The SECRETARY. Add a new section as follows:

DEPARTMENT OF THE INTERIOR.

Natural-gas supplies of the Northern Appalachian States: For the investigation of the stage of exhaustion, the amounts remaining available in the ground, and the probable life of the natural-gas fields tributary to the cities of Ohio, western New York, western Pennsylvania, West Virginia, and eastern Kentucky, there is hereby appropriated the sum of \$15,000, to be expended under the direction of the Director of the United States Geological Survey.

Mr. WARREN. Mr. President, I should be glad to vote for a bill which carries that item, if it came as a separate measure, but I am compelled to make a point of order against the amendment.

Mr. POMERENE. Will not the Senator withhold the point of order for a moment?

Mr. WARREN. I will withhold it while the Senator addresses the Senate.

Mr. POMERENE. Mr. President, as everyone familiar with the subject knows, there is considerable gas territory in Ohio and West Virginia and western Pennsylvania. A large portion of our industrial cities are supplied with natural gas, not only for industrial purposes but for housekeeping purposes. Franchises are granted by the different municipalities to different companies. There has been a good deal of difference of opinion as to what price should be paid for the gas, and during the last 10 years, to my certain knowledge, there have been different representations as to the amount of natural-gas territory and

the supply which can be produced, not only at the present time but in future years. As a result, many of the cities are uncertain as to what ought to be done.

This proposed amendment simply asks for a preliminary survey. I have taken up the subject with the United States Geological Survey, and they advise me that they have no funds now whatever with which to have the survey made. Similar surveys have been made in the past in the Texas-Oklahoma territory and the Kansas territory, possibly in some others, and the information which they have gathered, while not mathematically certain, of course, has been of very great value to those communities.

I hope the Senator can see his way clear not to insist on the point of order. I hope he will consent to have the amendment adopted. It will no doubt go to conference; and if any reason occurs to Senators then why it should not be permitted to remain in the bill, of course I shall make no objection, but I make an appeal now to the good nature of the chairman of the committee and ask him to let it go in the bill under these circumstances.

Mr. WARREN. It is not a matter of good nature at all. It is a mere matter of a construction of the rules of the Senate. I have no pleasure but really have pain in insisting upon the point of order.

Mr. POMERENE. The Senator smiles when he says he has pain. I am very sorry he feels that he must make this objection.

The VICE PRESIDENT. The Chair must sustain the point of order if it is made. It is not estimated for.

Mr. POMERENE. I observe an expression of pain on the face of the Vice President at the same time.

Mr. CHAMBERLAIN. I desire to offer an amendment. On page 19, between lines 23 and 24, I move to insert the following:

For extra and special services performed by a United States district attorney, Clarence L. Reames, of Portland, Oreg., in the prosecution of certain cases in the northern district of California and in the western district of Washington, pursuant to the request of the Attorney General, during the years 1916 and 1917, \$2,000.

Mr. WARREN. I wish to say to the Senator offering the amendment that that was considered in the committee, and there was some question whether it should go in or not. I am perfectly willing, if the Senator wishes, to let it go in the bill and go to conference.

Mr. CHAMBERLAIN. I should like to have it go to conference, because I am satisfied the Attorney General will recommend it, in view of statements that he has already made about it.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

RESERVATIONS TO TREATY OF PEACE WITH GERMANY.

Mr. McCUMBER. Mr. President, I desire to have printed a number of suggested compromise reservations for the treaty of peace. These represent efforts of the different Senators to get together on some line of reservations on which a majority could agree.

As is well known, I think, no one claims to-day that the treaty can go through without reservations. It is necessary to secure 64 votes to put the treaty through. In order to secure those 64 votes it is necessary that some reservations be agreed upon. Those which I present, while not being reservations that have been agreed upon in every respect and in each detail, do represent the effort to agree of those who might be called mild reservationists and those who desire most radical reservations. I ask that they may be printed in the Record of the proceedings of to-day, so that we may have them before us during the consideration of this matter to-morrow.

Mr. OVERMAN. Mr. President, in addition to printing them in the Record, would it not be well to have them printed as bills are printed, and laid on the desks of Senators?

Mr. McCUMBER. I have no objection, if the Senator wishes that done.

The PRESIDING OFFICER (Mr. KIRBY in the chair). The reservations will be printed.

Mr. UNDERWOOD. Mr. President, I ask that the reservations offered by the Senator from North Dakota may be read.

The PRESIDING OFFICER. Is there objection to the proposed reservations being read? The Chair hears none.

Mr. POINDEXTER. Mr. President, before that is done I should like to ask the Senator from North Dakota whether we are to understand from his statement that he is offering these reservations not only on his own behalf but on behalf of other Senators who have agreed to them?

Mr. McCUMBER. I will scarcely say that, Mr. President. Many of them we have agreed upon. To others there are some slight objections, I will say, upon my own part and some on the part of others. These represent rather the effort to get together, perhaps, as nearly as we shall be able to get together until we may decide the matter in the Committee on Foreign Relations. I have no objection to their being read.

The PRESIDING OFFICER. The Secretary will read the proposed reservations.

The Secretary read as follows:

SUGGESTED COMPROMISE RESERVATIONS.

CONCERNING WITHDRAWAL.

1. That the United States understands, and so construes article 1, that in case of notice of withdrawal from the league of nations, as provided in said article, the United States shall be the sole judge as to whether all its international obligations and all its obligations under the said covenant have been fulfilled.

CONCERNING ARTICLE 10.

2. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between nations, whether members of the league or not, under the provisions of article 10, or to employ the military and naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress which, under the Constitution, has the sole power to declare war or authorize the employment of the military and naval forces of the United States, shall, by act or joint resolution, so declare.

CONCERNING DOMESTIC QUESTIONS.

3. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction, and declares that all domestic and political questions relating to its internal affairs, including immigration, coastwise traffic, the tariff, commerce, and all other domestic questions, are solely within the jurisdiction of the United States and are not, under this treaty, submitted in any way either to arbitration or to the consideration of the council or the assembly of the league of nations or to the decision or recommendation of any other power.

CONCERNING THE MONROE DOCTRINE.

4. The United States does not bind itself to submit for arbitration or inquiry by the assembly or the council any question which, in the judgment of the United States, depends upon or involves its long-established policy commonly known as the Monroe doctrine. Said doctrine is to be interpreted by the United States alone and is hereby declared to be wholly outside the jurisdiction of said league of nations; and it is preserved unaffected by any provision in said treaty contained.

CONCERNING SHANTUNG.

5. The United States refrains from entering into any agreement on its part in reference to the matters contained in articles 156, 157, and 158, and reserves full liberty of action in respect to any controversy which may arise in relation thereto.

CONCERNING VOTE OF DOMINIONS (WHERE NEITHER PRINCIPAL COUNTRY NOR DOMINION IS PARTY TO DISPUTE).

6. The United States reserves the right, upon the submission of any dispute to the council or the assembly, to object to any member and its self-governing dominions, dependencies, or possessions having in the aggregate more than one vote; and in case such objection is made the United States assumes no obligation to be bound by any election, finding, or decision in which such member and its said dominions, dependencies, and possessions have in the aggregate cast more than one vote.

CONCERNING VOTES OF DOMINIONS (WHERE PRINCIPAL COUNTRY OR DOMINION IS PARTY TO DISPUTE).

7. That the United States understands and construes the words "dispute between members" and the words "dispute between parties," in article 15 to mean that a dispute with a self-governing dominion, colony, or dependency represented in the assembly is a dispute with the dominant or principal member represented therein and that a dispute with such dominant or principal member is a dispute with all of its self-governing dominions, colonies, or dependencies; and that the exclusion of the parties to the dispute provided in the last paragraph of said article will cover not only the dominant or principal member, but also its dominions, colonies, and dependencies.

Mr. PITTMAN. Mr. President, so that these reservations that have been offered in the form of resolutions may all appear in the Record together, I ask unanimous consent that there be printed in the Record, following the proposed reservations, the reservations presented by the Senator from Massachusetts [Mr. LODGE] on behalf of the majority of the Foreign Relations Committee, the reservations heretofore offered by the Senator from North Dakota [Mr. McCUMBER] on September 15, the reservations and amendments suggested by the Senator from Pennsylvania [Mr. KNOX] on June 12, the reservations of the Senator from Missouri [Mr. SPENCER] under date of June 9, the reservations of the Senator from Georgia [Mr. SMITH] on October 2, and the reservations of the Senator from Nevada [Mr. PITTMAN] under date of August 20.

The PRESIDING OFFICER. Is there objection?

Mr. OVERMAN. I ask that all of these reservations be printed in one document and laid on the desks of Senators in the morning.

The PRESIDING OFFICER. Is there objection?

Mr. POMERENE. If it is the purpose of the Senate to reprint these reservations it seems to me that all of them should be reprinted.

Mr. OVERMAN. I think they ought to be reprinted together and laid upon the desks of Senators.

Mr. POMERENE. Some reservations were offered by the senior Senator from Colorado [Mr. THOMAS].

Mr. SMOOT. I will say to the Senator that they have already been printed.

Mr. POMERENE. I know; but it is proposed here to reprint them.

Mr. McKELLAR. They ought to be printed in the RECORD also, and I do not understand that the Senator's request would exclude them.

Mr. OVERMAN. Not at all. They have already been ordered printed in the RECORD.

Mr. POMERENE. Also, certain reservations were presented by the Senator from Maine [Mr. HALE]. I think those were prepared, perhaps, by former Justice Hughes; and I think, as I now recall, that certain reservations were presented by the junior Senator from Minnesota [Mr. KELLOGG].

Mr. PITTMAN. Mr. President, I have here the reservations suggested by Mr. Hughes and presented by the Senator from Maine [Mr. HALE] under date of July 24. I present them to accompany the unanimous-consent request. I also present the reservations offered by the Senator from Colorado [Mr. THOMAS] under date of October 11, and ask that they take the same course.

Mr. CURTIS. Mr. President, if these reservations are to be printed, I ask that all the reservations which have been proposed and not merely a part of them be printed and laid on the desks of Senators.

The PRESIDING OFFICER. The Chair understands that the suggestion as first made was to have all these reservations printed in the RECORD. Now, there seems to be another suggestion, that they shall all be printed as one document and laid on the desks of Senators. Is that the idea?

Mr. CURTIS. My request applies to the document which is to be laid on the desks of Senators.

Mr. SMOOT. Mr. President, it seems to me that if we are going to put them all together as a document it would be sufficient for every Senator to have them all together in that form. All of them, I think, have been printed in the RECORD already. What the Senators want is to have them handy, so that they can get to them at once. If they are published in a document, that is the proper way and the best way for Senators to see all of the reservations.

The PRESIDING OFFICER. Does the Senator object to including these reservations in the RECORD?

Mr. SMOOT. I want to ask the Senator making the request if he will not change it so as to have them printed as a document?

Mr. PITTMAN. Mr. President, I thought they ought to be printed in both ways, for this reason: The document is only immediately available to Senators until it is mailed out, while anything that appears in the CONGRESSIONAL RECORD goes to the country, and gives everyone the benefit of the comparison of the various reservations. That was my object.

Mr. SMOOT. Of course I recognize that fact, and I will say to the Senator that I understand that all of them have already been printed in the RECORD; but if the Senator really thinks that it is necessary, and as we are paying no attention anyhow to what we put in the RECORD, I have not any objection if the Senator desires to have it done.

Mr. PITTMAN. I think at the present time it is becoming more important than it was at the time they were offered.

Mr. SMOOT. It is understood, then, that all of the reservations of every kind and character shall be printed not only in the RECORD but also in document form.

The PRESIDING OFFICER. All the reservations, and then that all the reservations shall not only be included in the RECORD, but that they shall be printed as one document and laid on the desks of Senators. Does the Chair hear any objection?

Mr. PITTMAN. Also in the RECORD and in this one document.

Mr. SMOOT. Yes.

The PRESIDING OFFICER. Shall this suggestion reach to printing these reservations as a public document—the Chair presumes, a Senate document? What is the pleasure of the Senate on that question?

Mr. SMOOT. I understood the Senator to request that they be printed as a Senate document.

Mr. OVERMAN. Mr. President, I requested that they be printed as a Senate document and laid on the desks of Senators, so that Senators can compare them and examine them without having to refer to the RECORD.

The PRESIDING OFFICER. The only difference seems to be that Senate documents are exclusively for the use of Senators, while public documents go out to the various libraries in the country.

Mr. OVERMAN. I only wanted them printed as a Senate document.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JONES of Washington. Mr. President, I desire to present and have printed and lie on the table to be printed with the other reservations in the document that was ordered printed this afternoon what is intended to be proposed by me as an additional paragraph to the resolution of ratification.

The PRESIDING OFFICER. Without objection, it is so ordered. All reservations presented up to this time will be printed as a document and also in the RECORD.

The reservations are as follows (S. Doc. No. 139):

Senate resolution 76.

Mr. Knox submitted the following resolution, which was referred to the Committee on Foreign Relations:

Whereas the Congress of the United States in declaring, pursuant to its exclusive authority under the Constitution, the existence of a state of war between the United States and the Imperial German Government, solemnly affirmed that the Imperial Government has so "committed repeated acts of war against the Government and the people of the United States" that a state of war had been thrust upon them by that Government, and thereupon formally pledged the whole military and national resources of the country "to bring the conflict to a successful termination"; and

Whereas the Senate of the United States, being a coequal part of the treaty-making power of this Government, and therefore coequally responsible for any treaty which is concluded and ratified, is deeply concerned over the draft treaty of peace negotiated at Versailles by which it is proposed to end our victorious war and is gravely impressed by the fact that its provisions appear calculated to force upon us undesirable and far-reaching covenants inimical to our free institutions under the penalty that failing to accept these we shall continue in a state of war while our cobelligerents shall be at peace and enjoying its blessings; that it is proposed to make us parties to a league of nations, under a plan as to which the people of the United States have had neither time to examine and consider nor opportunity to express regarding it a matured and deliberate judgment, whereas the treaty may be easily so drawn as to permit the making of immediate peace, leaving the question of the establishment of a league of nations for later determination; and that the treaty as drawn contains principles, guaranties, and undertakings obliterative of legitimate race and national aspirations, oppressive of weak nations and peoples, and destructive of human progress and liberty: Therefore be it

Resolved, That the Senate of the United States will regard as fully adequate for our national needs and as completely responsive to the duties and obligations we owe to our cobelligerents and to humanity a peace treaty which shall assure to the United States and its people the attainment of those ends for which we entered the war, and that it will look with disfavor upon all treaty provisions going beyond these ends.

2. That since the people of the United States have themselves determined and provided in their Constitution the only ways in which the Constitution may be amended, and since amendment by treaty stipulation is not one of the methods which the people have so prescribed, the treaty-making power of the United States has no authority to make a treaty which in effect amends the Constitution of the United States, and the Senate of the United States can not advise and consent to any treaty provision which would have such effect, if enforced.

3. That the Senate advises, in accordance with its constitutional right and duty, that the great paramount if not sole duty of the peace conference is quickly to bring all the belligerents a full and complete peace; that to this end the treaty shall be so drawn as to permit any nation to reserve without prejudice to itself for future separate and full consideration by its people the question of any league of nations; that neither such an article nor the exercise of the rights reserved thereunder, whether at the time of signature, the time of ratification, or at any other time, shall affect the substance of the obligations of Germany and its cobelligerents under the treaty, nor the validity of signature and ratification on their behalf; and that any indispensable participation by the United States in matters covered by the league covenant shall, pending the entry of the United States into the league, be accomplished through diplomatic commissions which shall be created with full power in the premises.

4. That this resolution indicates and gives notice of the limits of the present obligations against the United States in which the Senate of the United States is now prepared to acquiesce by consenting to the ratification of a treaty embodying peace conditions that may be found otherwise acceptable to its judgment, and that the adoption by the peace conference of the foregoing reasonable limitations and positions will facilitate the early acceptance of the treaty of peace by the Senate of the United States, will in no wise interfere with the league of nations as between these countries prepared to ratify the treaty without further consideration, and will afford such a manifestation of real respect for the wishes of a great people as can not fail more firmly to cement the friendship already existing between ourselves and our cobelligerents.

5. That, finally, it shall be the declared policy of our Government, in order to meet fully and fairly our obligations to ourselves and to the world, that the freedom and peace of Europe being again threatened by any power or combination of powers, the United States will regard such a situation with grave concern as a menace to its own peace and freedom, will consult with other powers affected with a view to devising means for the removal of such menace, and will, the necessity arising in the future, carry out the same complete accord and cooperation with our chief cobelligerents for the defense of civilization.

Senate resolution 80.

Mr. SPENCER submitted the following resolution, which was ordered to lie over under the rule:

Resolved, That the Senate approaches the consideration of the league of nations with entire sympathy and in the earnest desire to cooperate as fully as it may in thus establishing and preserving the peace of the world.

That in the interest of a frank and full understanding with the other nations of the world, and particularly with the signatory nations to the covenant itself, candor and friendship alike require that the danger of future misunderstanding should as far as possible be eliminated, and to that end the following declarations should be clearly and definitely made:

First. That the Monroe doctrine is an essential national policy of the United States, and that the necessity and extent of its application and enforcement are matters to be determined alone by the United States as the occasion for interpretation may from time to time arise and without interference, direct or indirect, on the part of any other nation.

Second. That internal questions entirely domestic in character, such as immigration and tariff, notwithstanding certain international results that may from time to time naturally be connected therewith, are matters to be determined entirely by the country in which they arise, and are under no circumstances questions for settlement under the provisions of the league of nations.

Third. That inasmuch as the United States is governed by a written constitution, the provisions of which are supreme and controlling in this Republic over every act, legislative, executive, or judicial, and by such constitution it is expressly provided that the power either to declare war or to continue war for more than two years is vested exclusively in the Congress of the United States, it is apparent that the United States can not bind itself in advance to either make war in the future or to send its Army or Navy into other lands for purposes of control, which is an act of war, without the express authorization of Congress at the time, and, therefore, whether the United States, as the necessity for such action in the future may arise, shall by any military or naval force cooperate in maintaining any of the provisions of the league of nations is a matter which the Congress under the provisions of the Constitution of the United States is, and must be, entirely free to determine by what in its judgment is at the time consistent with the honor and interest and duty of the American people.

Reservations by Mr. Hale.

The Senate of the United States of America advises and consents to the ratification of said treaty with the following reservations and understandings as to its interpretation and effect to be made a part of the instrument of ratification:

First. That whenever two years' notice of withdrawal from the league of nations shall have been given, as provided in article 1 of the covenant, the power giving the notice shall cease to be a member of the league, or subject to the obligations of the covenant of the league, at the time specified in the notice, notwithstanding any claim, charge, or finding of the nonfulfillment of any international obligation or of any obligation under said covenant: *Provided, however*, That such withdrawal shall not release the power from any debt or liability theretofore incurred.

Second. That questions relating to immigration, or the imposition of duties on imports, where such questions do not arise out of any international engagement, are questions of domestic policy, and these and any other questions which, according to international law, are solely within the domestic jurisdiction are not to be submitted for the consideration or action of the league of nations or of any of its agencies.

Third. That the meaning of article 21 of the covenant of the league of nations is that the United States of America does not relinquish its traditional attitude toward purely American questions, and is not required by said covenant to submit its policies regarding questions which it deems to be purely American questions to the league of nations or any of its agencies, and that the United States of America may oppose and prevent any acquisition by any non-American power by conquest, purchase, or in any other manner of any territory, possession, or control in the Western Hemisphere.

Fourth. That the meaning of article 10 of the covenant of the league of nations is that the members of the league are not under any obligation to act in pursuance of said article except as they may decide to act upon the advice of the council of the league. The United States of America assumes no obligation under said article to undertake any military expedition or to employ its armed forces on land or sea unless such action is authorized by the Congress of the United States of America, which has exclusive authority to declare war or to determine for the United States of America whether there is any obligation on its part under said article and the means or action by which any such obligation shall be fulfilled.

Senate resolution 168.

Mr. PITTMAN submitted the following resolution, which was ordered to lie over under the rule:

Resolved, That when the Senate of the United States shall advise and consent to the ratification of the treaty of peace with Germany, signed at Versailles on the 28th day of June, 1919, now pending in the Senate, that it be done with and in consideration of the following understanding as to the present and future construction and interpretation to be given to the treaty:

1. That whenever the two years' notice of withdrawal from the league of nations shall have been given by any member of the league, as provided in article 1, the Government giving such notice shall be the sole judge whether all its international obligations and all its obligations under the covenant shall have been fulfilled at the time of withdrawal.

2. That the suggestions of the council of the league of nations as to the means of carrying into effect the obligations of article 10, the execution of which may require the use of military or naval forces or economic measures, can only be carried out through the voluntary separate action of each of the respective Governments, members of the league, and that the failure of any such Government to adopt the suggestions of the council of the league, or to provide such military or naval forces or economic measures, shall not constitute a moral or legal violation of the treaty.

3. That all domestic and political questions relating to the internal affairs of a Government which is a member of the league, including immigration, coastwise traffic, the tariff, and commerce, are solely within the jurisdiction of such Government, and are not by the covenant of the league of nations submitted in any way either to arbitration or to the consideration of the council or assembly of the league of nations or to the decision or recommendations of any other power. If a dispute arises between parties with regard to a question other than those which are herein specifically exempted as domestic questions, and it is claimed by one of the parties that such question is a domestic and political question, relating to its internal affairs, then the council shall not consider or make recommendations thereon, except upon the unanimous vote of the council, other than the representations of the disputants.

4. There shall not be submitted to arbitration or inquiry by the assembly or the council any question which, in the judgment of the United States, depends upon or involves its long-established policy, commonly known as the Monroe doctrine, and it is preserved unaffected by any provision of the said treaty.

Senate resolution 169.

Mr. OWEN submitted the following resolution, which was referred to the Committee on Foreign Relations:

Resolved, That the Senate of the United States in ratifying the treaty of peace with Germany has done so with the understanding that the meaning and purpose of this instrument is as follows:

1. That there is nothing in the covenant establishing the league of nations capable of being interpreted as permitting the league of nations to interfere with any of the domestic affairs of the United States or of any other nation, such as matters relative to immigration, emigration, imports, or exports, coastwise traffic, or sovereignty within the 3-mile limit of its seacoast.

2. That nothing in the covenant can be construed as requiring the United States to use its military or naval forces except when the Congress of the United States within its own discretion may authorize it.

3. That if any member nation should see fit to withdraw from the league would not be precluded from doing so on the ground that it had not complied with its obligations.

4. That the covenant of the league will not in any degree impair the Monroe doctrine as heretofore interpreted by the Government of the United States.

5. That the league of nations is not authorized to interfere with the internal revolutions of any nation except in respect to the backward nations under a mandatory, nor to interfere with the readjustment of boundaries by agreement.

6. It is the opinion of the Senate that the reduction of armament should proceed as rapidly as the safety of the world shall permit.

7. It is the opinion of the Senate that the pledge contained in article 23 (b) that the members of the league "undertake to secure just treatment of the native inhabitants under their control" is a moral pledge of the highest international character, made in pursuance of the principles enunciated by the President of the United States January 8, 1917, and in his subsequent addresses, which were accepted by the allied Governments on November 5, 1918, in arranging a basis for a treaty of peace with the Government of Germany.

8. The Senate has ratified the treaty upon the express understanding that the Japanese Government will fully and speedily carry out the pledge made to the Chinese Government in May, 1915, with regard to the Shantung Peninsula and has every confidence of the faithful and early compliance with this pledge.

Reservations reported by Mr. LODGE from the Committee on Foreign Relations to be made a part of the resolution of ratification of the treaty of peace with Germany when it is submitted, viz:

1. The United States reserves to itself the unconditional right to withdraw from the league of nations upon the notice provided in article 1 of said treaty of peace with Germany.

2. The United States declines to assume, under the provisions of article 10 or under any other article, any obligation to preserve the territorial integrity or political independence of any other country or to interfere in controversies between other nations, members of the league or not, or to employ the military or naval forces of the United States in such controversies, or to adopt economic measures, for the protection of any other country, whether a member of the league or not, against external aggression, or for the purpose of coercing any other country, or for the purpose of intervention in the internal conflicts or other controversies which may arise in any other country; and no mandate shall be accepted by the United States under article 22, Part I, of the treaty of peace with Germany, except by action of the Congress of the United States.

3. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction, and declares that all domestic and political questions relating to its affairs, including immigration, coastwise traffic, the tariff, commerce, and all other domestic questions, are solely within the jurisdiction of the United States, and are not under this treaty submitted in any way either to arbitration or to the consideration of the council or of the assembly of the league of nations, or to the decision or recommendation of any other power.

4. The United States declines to submit for arbitration or inquiry by the assembly or the council of the league of nations provided for in said treaty of peace any questions which in the judgment of the United States depend upon or relate to its long-established policy, commonly known as the Monroe doctrine; said doctrine is to be interpreted by the United States alone, and is hereby declared to be wholly outside the jurisdiction of said league of nations and entirely unaffected by any provision contained in the said treaty of peace with Germany.

Reservations intended to be proposed by Mr. McCUMBER to be made a part of the resolution of ratification of the treaty of peace with Germany, viz:

1. That whenever the two years' notice of withdrawal from the league of nations shall have been given by the United States, as provided in article 1, the United States shall be the sole judge whether all its international obligations and all its obligations under this covenant shall have been fulfilled at the time of withdrawal.

2. That the suggestions of the council of the league of nations as to the means of carrying the obligations of article 10 into effect are only advisory, and that any undertaking under the provisions of article 10, the execution of which may require the use of American military or naval forces or economic measures, can under the Constitution be carried out only by the action of the Congress, and that the failure of the Congress to adopt the suggestions of the council of the league, or to provide such military or naval forces or economic measures, shall not constitute a violation of the treaty.

3. The United States reserves to itself the right to decide what questions are within its domestic jurisdiction and declares that all domestic and political questions relating to its internal affairs, including immigration, coastwise traffic, the tariff, commerce, and all other purely domestic questions are solely within the jurisdiction of the United States and are not by this covenant submitted in any way either to arbitration or to the consideration of the council or the assembly of the league of nations or to the decision or recommendation of any other power.

4. The United States does not bind itself to submit for arbitration or inquiry by the assembly or the council any question which in the judgment of the United States depends upon or involves its long-established policy commonly known as the Monroe doctrine, and it is preserved unaffected by any provision in the said treaty contained.

5. That in advising and consenting to the ratification of said treaty the United States understands that the German rights and interests,

renounced by Germany in favor of Japan under the provisions of articles 156, 157, and 158 of said treaty, are to be returned by Japan to China at the termination of the present war by the adoption of this treaty as provided in the exchanged notes between the Japanese and Chinese Governments of date May 25, 1915.

6. That the United States understands and construes the words "dispute between members" and the words "dispute between parties" in article 15 to mean that a dispute with a self-governing dominion, colony, or dependency represented in the assembly is a dispute with the dominant or principal member represented therein and that a dispute with such dominant or principal member is a dispute with all of its self-governing dominions, colonies, or dependencies; and that the exclusion of the parties to the dispute provided in the last paragraph of said article will cover not only the dominant or principal member but also its dominions, colonies, and dependencies.

Reservations intended to be proposed by Mr. SMITH of Georgia to the pending treaty of peace with Germany, viz:

Resolved, That the Senate advises and consents to the ratification of the treaty with Germany with the following provisos, to be made a part of such ratification:

First. The United States understands and construes the words "dispute between members" and the words "dispute between parties," in article 15, to mean that a dispute with a principal member, self-governing dominion, colony, or dependency represented in the assembly is a dispute with the dominant or principal member represented therein and with each of the other self-governing dominions, colonies, or dependencies thereof, and that the exclusion of the parties to the dispute provided in the last paragraph of said article will cover the dominant or principal member, its dominions, colonies, and dependencies.

Second. The United States understands that, as the covenant provides no tribunal to pass judgment upon the subject, whenever the two years' notice for withdrawal from the league of nations shall have been given by a member nation, as provided in article 1, the member nation shall be the sole judge whether all its international obligations and all its obligations under this covenant have been fulfilled, and notice of withdrawal by the United States can be given by a concurrent resolution of the Congress of the United States.

Third. The United States understands that the reference to the Monroe doctrine in the league covenant means that the long-established policy of the United States, commonly known as the Monroe doctrine, is preserved unaffected by the covenant, and that no question which depends upon or involves this policy is to be submitted to arbitration or inquiry by the assembly or the council of the league.

Fourth. The United States understands that under the league covenant no question can be raised either in the assembly or in the council of the league which will give either body the right to report or to make any recommendation or to take any action upon the policy of the United States or any other member nation with regard to domestic or political questions relating to its internal affairs, including immigration, coastwise traffic, the tariff, commerce, and all other purely domestic questions, but these questions, in whatever manner they may arise, are solely within the jurisdiction of each member nation, and are not by the covenant submitted in any way either to arbitration or to the consideration of the council or the assembly of the league of nations, or to the decision or recommendation of any other power, and, in the case of the United States, they are reserved for action by the Congress of the United States.

Fifth. The United States understands that the advice which may be given by the council or the assembly of the league with regard to the employment of the military or naval forces by a member nation, or with regard to the use of economic measures for the protection of any other country, whether member of the league or not, or for the purpose of coercing any other country or for the purpose of intervention in the internal conflicts or other controversies which may arise in any other country, is to be regarded only as advice, and leaves each member nation free to exercise its own judgment as to whether it is wise or practicable to act upon that advice, and that the Congress must determine for the United States its course.

The United States can not assume, under the provisions of article 10, or any other article, any obligation to preserve the territorial integrity or political independence of any other country, or to interfere, under the provisions of article 16, in controversies between other nations, whether members of the league or not.

The authority for decisions in all matters referred to in this reservation is placed by the Constitution of the United States upon the Congress, and the failure of the Congress to adopt the suggestions of the assembly or the council of the league of nations or to take independent action shall not constitute a violation of the treaty, and no mandate shall be accepted by the United States, as provided in article 22, part 1, except by action of the Congress of the United States.

Sixth. The United States understands that the representatives of the other nations upon the reparations commission will interfere with exports from the United States to Germany or from Germany to the United States only when the United States also approves the interference.

Seventh. The United States understands that no one may represent the United States in any of the positions created by the treaty except when appointed by the President, with the advice and consent of the Senate, unless provision is hereafter made by the Congress for selections in a different manner; and the representative of the United States, either in the assembly or the council, shall have no authority to agree for the United States to any amendment to or change in the covenant of the league until the same has been first submitted to and ratified by the Senate of the United States as other treaties.

Reservation intended to be proposed by Mr. CURTIS to the reservations proposed by the Committee on Foreign Relations as a part of the resolution of ratification of the treaty of peace with Germany, viz:

5. The United States construes subdivision "C" of article 23 to mean that the league shall refuse to recognize agreements with regard to the traffic in women and children and that the league shall use every means possible to abolish and do away with such practice.

Amendment intended to be proposed by Mr. SHERMAN to the document (S. Doc. 85), treaty of peace with Germany, viz:

On page 17, line 10, before the word "agree," insert the following: "Invoke the considerate judgment of mankind and the gracious favor of Almighty God and."

Reservations intended to be proposed by Mr. THOMAS to be made a part of the resolution of ratification of the treaty of peace with Germany, viz:

1. The United States declines to submit the credentials of its delegates and their advisers to the general conference to the determination of that body or to receive or act upon proposals of any conference from which its delegates and advisers or any of them have been excluded. And the United States understands and construes the Government delegates provided by article 389, and the 12 delegates representing governments upon the governing body of the international labor office and the person of independent standing to be nominated for the panel provided by article 412, to mean that both employers and workers are ineligible to selection or appointment to said positions or any of them. And the United States declines to submit the credentials or qualifications of any of its appointees under Part XIII of the treaty to any authority whatever.

2. The United States understands that the provisions of article 1, Part I, of the treaty, authorizing any member of the league to withdraw therefrom, mean that any such withdrawal, when made, is a withdrawal from the international organization created by Part XIII of the treaty. The United States also understands that amendments to Part XIII, under the provisions of article 422, shall not bind any member of the league which signifies its dissent therefrom, but in that case it shall cease to be a member of the league.

3. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction and that of the States respectively, and declares that all domestic and political questions relating to its affairs, including immigration, coastwise traffic, agriculture, the tariff, commerce, and all other domestic subjects, are not under Part XIII of this treaty submitted to the determination of the general conference, the governing body of the international labor union, or any other commission of inquiry to be chosen thereunder.

4. The United States reserves the right to decline to recognize the authority, except that of a member of the league, to file a complaint with the international labor office that it is not securing effective observance of any convention which both have ratified in accordance with the articles of Part XIII.

Mr. OWEN submitted the following resolution, which was referred to the Committee on Foreign Relations:

Resolved, That the United States in ratifying the covenant of the league of nations does not intend to be understood as modifying in any degree the obligations, entered into by the United States and the Entente Allies in the agreement of November 5, 1918, upon which as a basis the German Empire laid down its arms. The United States regards that contract to carry out the principles set forth by the President of the United States on January 8, 1917, and in subsequent addresses, as a world agreement, binding on the great nations which entered into it, and that the principles there set forth will be carried out in due time through the mechanism provided in the covenant, and that article 23, paragraph (b), pledging the members of the league to undertake to secure just treatment of the native inhabitants under their control, involves a pledge to carry out these principles.

The protectorate which Germany recognizes in Great Britain over Egypt is understood to be merely a means through which the nominal suzerainty of Turkey over Egypt shall be transferred to the Egyptian people, and shall not be construed as a recognition by the United States in Great Britain of any sovereign rights over the Egyptian people or as depriving the people of Egypt of any of their rights of self-government.

SUGGESTED COMPROMISE RESERVATIONS.

October 21.

CONCERNING WITHDRAWAL.

1. That the United States understands, and so construes article 1, that in case of notice of withdrawal from the league of nations, as provided in said article, the United States shall be the sole judge as to whether all its international obligations and all its obligations under the said covenant have been fulfilled.

CONCERNING ARTICLE 10.

2. The United States assumes no obligation to preserve the territorial integrity or political independence of any other country, or to interfere in controversies between nations, whether members of the league or not, under the provisions of article 10, or to employ the military and naval forces of the United States under any article of the treaty for any purpose, unless in any particular case the Congress which, under the Constitution, has the sole power to declare war or authorize the employment of the military and naval forces of the United States, shall, by act or joint resolution, so declare.

CONCERNING DOMESTIC QUESTIONS.

3. The United States reserves to itself exclusively the right to decide what questions are within its domestic jurisdiction, and declares that all domestic and political questions relating to its internal affairs, including immigration, coastwise traffic, the tariff, commerce, and all other domestic questions, are solely within the jurisdiction of the United States and are not, under this treaty, submitted in any way, either to arbitration or to the consideration of the council or the assembly of the league of nations, or to the decision or recommendation of any other power.

CONCERNING THE MONROE DOCTRINE.

4. The United States does not bind itself to submit for arbitration or inquiry by the assembly or the council any question which, in the judgment of the United States, depends upon or involves its long-established policy commonly known as the Monroe doctrine. Said doctrine is to be interpreted by the United States alone and is hereby declared to be wholly outside the jurisdiction of said league of nations; and it is preserved unaffected by any provision in said treaty contained.

CONCERNING SHANTUNG.

5. The United States refrains from entering into any agreement on its part in reference to the matters contained in articles 156, 157, and 158, and reserves full liberty of action in respect to any controversy which may arise in relation thereto.

CONCERNING VOTE OF DOMINIONS (WHERE NEITHER PRINCIPAL COUNTRY NOR DOMINION IS PARTY TO DISPUTE).

6. The United States reserves the right, upon the submission of any dispute to the council or the assembly, to object to any member and its self-governing dominions, dependencies, or possessions having in the

aggregate more than one vote; and in case such objection is made the United States assumes no obligation to be bound by any election, finding, or decision in which such member and its said dominions, dependencies, and possessions have in the aggregate cast more than one vote.

CONCERNING VOTES OF DOMINIONS (WHERE PRINCIPAL COUNTRY OR DOMINION IS PARTY TO DISPUTE).

7. That the United States understands and construes the words "dispute between members" and the words "dispute between parties" in article 15 to mean that a dispute with a self-governing dominion, colony, or dependency represented in the assembly is a dispute with the dominant or principal member represented therein, and that a dispute with such dominant or principal member is a dispute with all of its self-governing dominions, colonies, or dependencies; and that the exclusion of the parties to the dispute provided in the last paragraph of said article will cover not only the dominant or principal member, but also its dominions, colonies, and dependencies.

The following is proposed by Mr. JONES of Washington as an additional paragraph in the resolution of ratification:

Paragraph — The United States hereby gives notice that it will withdraw from the league of nations at the end of two years from the date of the exchange of ratifications of this treaty unless by the end of that period—

(1) The sovereignty of China shall have been fully restored over and in Shantung;

(2) The relations of Ireland to the British Empire shall have been adjusted satisfactorily to the people of Ireland;

(3) The independence of Egypt shall be recognized and that country set up as a free, independent, and sovereign State; and

(4) Each member of the league shall have abolished through the duly constituted authority the policy of maintaining its regular military and naval forces in time of peace by conscription.

ADJOURNMENT.

Mr. CURTIS. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 10 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, October 22, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

TUESDAY, October 21, 1919.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Speak to us, Father, that we go forward with the strength, the courage, the fortitude, to obey Thy commands; that whatsoever we put our hands to, in private or in public, we may prove ourselves worthy of Thy care and protection.

Give to us a clearer vision of the psychological and physical conditions which environ us. The time has come when our statesmen must reach the golden mean between paternalism and individualism. Guide them by thy counsels and:

"Thou, too, sail on, O Ship of State!
Sail on, O Union, strong and great!
Humanity with all its fears,
With all the hopes of future years,
Is hanging breathless on thy fate!"

Hear us, in His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

SWEARING IN OF A MEMBER.

Mr. BYRNES of South Carolina. Mr. Speaker, the Hon. EDWARD C. MANN has been elected from the seventh district of South Carolina to fill the vacancy caused by the resignation of the Hon. Asbury F. Lever. His credentials are in the hands of the Clerk of the House. Mr. MANN is present and I ask at this time that he be permitted to take the oath as a Member of this body.

The SPEAKER. The gentleman will come forward.

Mr. MANN of South Carolina appeared before the bar of the House and took the oath of office prescribed by law.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 1194. An act for the relief of Elizabeth Marsh Watkins;

S. 126. An act conferring jurisdiction on the Court of Claims to permit the Yankton and Cuthead Bands of Sioux Indians to intervene in the action of the Sisseton and Wahpeton Bands of Sioux Indians against the United States (Docket No. 33731), and to hear, determine, and render judgment in said action in claims of Yankton and Cuthead Bands of Sioux Indians against the United States;

S. 193. An act to cancel the allotment of Little Bear, deceased Indian of the Crow Reservation, Mont.;

S. 1329. An act to authorize the Secretary of the Interior to acquire certain Indian lands necessary for reservoir purposes in connection with the Blackfeet Indian reclamation project;

S. 3193. An act to authorize the Tennessee Bridge Co., a corporation chartered under the laws of the State of Tennessee, to construct a bridge across the Tennessee River near Loudon, Tenn.;

S. J. Res. 56. Joint resolution to enable the United States to participate in the work of the International Aircraft Standards Commission;

S. 2282. An act canceling Indian trust patents Nos. 307319 and 366449;

S. 2709. An act authorizing the Secretary of the Interior to issue patent to school district No. 8, Sheridan County, Mont., for block 1, in Wakea town site, Fort Peck Indian Reservation, Mont., and to set aside one block in each township on said reservation for school purposes;

S. 2085. An act relating to the maintenance of actions for death on the high seas and other navigable waters; and

S. 2454. An act for the relief of certain members of the Flathead Nation of Indians, and for other purposes.

The message also announced that the Senate had passed without amendment the bill (H. R. 446) authorizing the Commissioner of Indian Affairs to transfer fractional block 6 of Naylor's addition, Forest Grove, Oreg., to the United States of America for the use of the Bureau of Entomology, Department of Agriculture.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below.

S. 3193. An act to authorize the Tennessee Bridge Co., a corporation chartered under the laws of the State of Tennessee, to construct a bridge across the Tennessee River near Loudon, Tenn.; to the Committee on Interstate and Foreign Commerce.

S. J. Res. 56. Joint resolution to enable the United States to participate in the work of International Aircraft Standards Commission; to the Committee on Military Affairs.

S. 126. An act conferring jurisdiction on the Court of Claims to permit the Yankton and Cuthead Bands of Sioux Indians to intervene in the action of the Sisseton and Wahpeton Bands of Sioux Indians against the United States (Docket No. 33731), and to hear, determine, and render judgment in said action in claims of Yankton and Cuthead Bands of Sioux Indians against the United States; to the Committee on Indian Affairs.

S. 193. An act to cancel the allotment of Little Bear, deceased Indian of the Crow Reservation, Mont.; to the Committee on Indian Affairs.

S. 1329. An act to authorize the Secretary of the Interior to acquire certain Indian lands necessary for reservoir purposes in connection with the Blackfeet Indian reclamation project; to the Committee on Indian Affairs.

S. 2282. An act canceling Indian trust patent No. 307319 and to confirm patents issued to certain members of the Turtle Mountain band of Chippewa Indians, and for other purposes; to the Committee on Indian Affairs.

S. 2454. An act for the relief of certain members of the Flathead Nation of Indians, and for other purposes; to the Committee on Indian Affairs.

S. 2709. An act to amend the title so as to read: "A bill authorizing the Secretary of the Interior to issue patent to school district No. 8, Sheridan County, Mont., for block 1, in Wakea town site, Fort Peck Indian Reservation, Mont.; to the Committee on Indian Affairs.

S. 1194. An act for the relief of Elizabeth Marsh Watkins; to the Committee on Claims.

S. 2085. An act relating to the maintenance of actions for death on the high seas and other navigable waters; to the Committee on the Judiciary.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States, for his approval, the following bill and joint resolution:

H. R. 8624. An act to amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, and to regulate rents in the District of Columbia; and

H. J. Res. 230. Joint resolution authorizing and directing the Secretary of Agriculture to prepare and issue a supplementary report on the condition of the cotton crop.